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DISCRIMINATION AGAINST WOMEN (CEDAW)

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

Second and third periodic reports of States parties

PANAMA*

* For the initial report submitted by the Government of Panama, see CEDAW/C/5/Add.9; for its consideration by the Committee, see CEDAW/C/SR.50, CEDAW/C/SR.55 and CEDAW/C/SR.62 and Official Records of the General Assembly, Fortieth Session, Supplement No. 45 (A/40/45), paras. 127-179.

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I. INTRODUCTION

1. TERRITORY AND POPULATION

The Republic of Panama is the isthmus linking Central and South America. It has an area of 75,517 square kilometres and is situated in the low tropical latitudes, hence its typical tropical climate.

It is bounded by the Caribbean Sea to the north, the Pacific Ocean to the south, the Republic of Colombia to the east and the Republic of Costa Rica to the west.

The Panama Canal divides the national territory from north-west to south-east and is 80 kilometres long.

The Republic is divided into nine provinces, which are subdivided into 67 districts or municipalities and three indigenous districts.

The districts are, in turn, divided into 510 corregimientos, which are the political base of the State.

According to the 1990 census, the population of the Republic of Panama totals 2,329,329 inhabitants, with a density of 30.8 inhabitants per square kilometre, making it a country with a low population density. The annual rate of population growth was 3.1 per cent between the 1960 and 1970 censuses, dropping to 2.6 per cent between 1980 and 1990. This drop was the result of certain demographic changes, brought about mainly by the significant decline in the fertility rate of Panamanian women.

A majority of the population (53.3 per cent) live in the metropolitan area, made up of the provinces of Panamá and Colón, where the country's main economic, social, administrative and cultural activities are concentrated.

The rural population is dispersed throughout the rest of the country.

Panama is a multiracial country, with large number of whites, blacks, mulattos and Asians. Indigenous people account for approximately 8.3 per cent of the total population.

1.1 Education and training

The official language of the Republic of Panama is Spanish.

In the past 30 years, Panama has considerably improved its literacy rates. In 1960, the proportion of illiterates was 21.7 per cent; by 1990, it had gone down to 10.6 per cent. The illiteracy rate in rural areas is still 19.7 per cent, while in urban areas it is 3.6 per cent.

In 1990, the female illiteracy rate was 11.1 per cent, slightly higher than that for men (10.3 per cent). Among the indigenous population, the female

illiteracy rate was also higher (53.2 per cent) than the rate for men (35.9 per cent).

With regard to educational levels, 1990 census data indicate that the average number of years of schooling successfully completed is 6.7 for the population as a whole; it is slightly higher among women (6.8) than among men (6.6). The percentage of people with only some primary education was 46.7 per cent in 1990.

The percentage of people with secondary education increased from 25.9 per cent in 1980 to 31 per cent in 1990, while the percentage of those with university education increased from 5.6 per cent to 8.5 per cent in the same period.

The expansion of education coverage in recent years has benefitted young people. In 1980, 13.2 per cent of the population between 10 and 19 years of age were illiterate, whereas by 1990 the figure was only 6.4 per cent.

Panama allocates considerable resources to education, and the progress made is largely a result of this. However, the main problem is one of quality, and education in Panama needs to be brought up to date with scientific, technological and cultural advances while continuing to study the environmental problems that affect society.

1.2 Health

Nationwide, health indicators are improving. Inequalities persist, however, and indicators have even worsened for some segments of the population who are unable to meet their health, nutrition and basic sanitation needs.

Fertility rates have declined in recent years and women are having their children at a later age, mainly because, when they enter the labour market, they are forced to put off having children and to have fewer of them. By 1990, 27.1 per cent of all births were to women under 20 and over 35 years of age, those to women under 20 accounting for 19.4 per cent, and there was little difference between urban and rural areas. Of the births to mothers under 20 years of age, 89 per cent were to unmarried couples.

Statistics for the past 40 years show a decrease in obstetric complications and an increase in diseases specific to older and elderly women, such as cardiovascular disease, and, above all, a higher incidence of malignant neoplasms of the reproductive system, most of which are entirely preventable.

Deaths among women as a result of acquired immunodeficiency syndrome (AIDS) have declined significantly in relative terms. In 1985, women accounted for 25 per cent of all AIDS deaths; by 1994 the figure was 19.7 per cent.

In 1995, the country had 59 hospitals, 174 health centres and polyclinics and 443 clinics and emergency health posts.

With regard to the availability of hospital beds, there were approximately three beds per 1,000 inhabitants in 1995, a ratio deemed acceptable by the World Health Organization.

According to 1995 data on health professionals, there is one doctor per 856 inhabitants, one dentist per 4,011 inhabitants and one nurse per 932 inhabitants. The percentage of childbirths attended by a health professional is 87.1 per cent and social security coverage is 59 per cent.

With regard to immunization coverage, between 1992 and 1993, the proportion of people who had received a full course of DPT, polio, BCG and measles vaccine increased by 5.6 per cent, 5.8 per cent, 9.6 per cent and 5.8 per cent, respectively.

1.3 Housing

According to Ministry of Housing estimates, the housing deficit in 1993 was 195,244 homes, 48 per cent of which corresponded to the province of Panamá. Despite the efforts made, housing supply falls far short of demand.

Only State entities are responsible for the construction of low-income housing. High construction and land costs are the main reasons for the inability to meet the ever-increasing demand for such housing.

1.4 Availability of drinking water and sanitation

Census data indicate that 16 per cent of occupied housing does not have access to drinking water and 12 per cent does not have sanitation. However, among the poorest sectors - those living in rural and indigenous areas - the lack of such services is greater. In the poorest districts, 70.5 per cent of homes do not have access to drinking water and two thirds do not have sanitation.

The lack of access to electricity is even greater.

1.5 Environment

Damage to the environment is related to the population's consumption habits and lack of awareness of the interrelationship between humankind and nature and how this relationship is being sacrificed to benefit economic growth.

Deforestation in the Panama Canal basin is a matter of particular concern. Approximately 40 per cent of the basin's 326,000 hectares have been deforested.

The Bay of Panama has been particularly affected by rapid urban growth, which has caused increasing pollution by untreated household and industrial waste and pesticides and fertilizers, threatening public health and the fishing industry.

Air pollution is getting worse as a result of a high concentration of vehicles, improper disposal of industrial wastes and inadequate regulation, as well as failure to comply with existing regulations.

The population is unevenly distributed and concentrated mainly in the metropolitan region, because of migration to centres of greater economic activity. This hinders proper urban planning, making it difficult to quickly lay on basic services such as drinking water, energy, transportation and waste collection, among others, and to implement programmes for dealing with the environmental consequences.

2. ECONOMY

2.1 Economic growth

During the period from 1990 to 1993, the Panamanian economy experienced a significant recovery. Gross domestic product (GDP) increased cumulatively by 26 per cent, representing an annual average growth rate of 8 per cent, while real output per capita grew by 6.3 per cent annually. These levels were above the average for Latin America, where cumulatively, GDP grew by 10.3 per cent and output per capita by 2.6 per cent in the same period.

Growth was mainly concentrated in the service sector, whose share of GDP progressively increased.

Transport, storage, communications and finance accounted for 52 per cent of the increase in output between 1986 and 1992. These sectors, which include modern, highly productive activities such as the free trade zone, the Panama Canal and the banking centre, are mostly concentrated in the metropolitan area and have few links to the country's interior. Having reached their peak as economic activities, they generate relatively few new jobs. In fact, they accounted for only 18 per cent of the new jobs generated in the period.

As the modern sector of the economy cannot absorb much manpower, there has been a significant increase in employment in the informal, non-traditional sector. Of the jobs created during the period in question, 51.7 per cent (if one excludes domestic employment) were in the categories of self-employed workers, employers and unpaid family workers.

Generally speaking, the main macroeconomic indicators, especially those for the period from 1990 to 1995, show an extraordinary economic recovery, but one largely unrelated to the production sector.

2.2 Contractual public debt

The contractual or documented public sector debt, as of 31 December 1993, was 5,710.9 million balboas, an increase of 784.8 million balboas over 31 December 1992. This increase in total public debt involved a B 813.7 million increase in the documented domestic debt and a B 28.9 million decrease in the external debt.

As of 31 December 1993, the interest owed on the external public debt totalled some B 1,518 million. Adding this to the principal outstanding on the contractual public debt gives a total public sector debt of B 7,228.9 million at the end of 1993.

The country's estimated GDP for 1993 was B 6,561.9 million.

With regard to the servicing of the external debt, the country is up to date on its payments to the multilateral institutions and bilateral creditors members of the Paris Club. The commercial banking debt, principal and interest combined, comes to about B3,222 million.

2.3 Income distribution

Unequal distribution of wealth is one of the structural problems that, historically, have affected the Panamanian economy the most. The very marked development of the sector providing services to the international market including the Panama Canal and the professional and personal services generated by its operation and by foreign military bases, which, for decades has operated as an economic enclave, has resulted in salary scales very different from those prevailing in the traditional activities carried out by Panama as a developing country. Because of the high level of qualifications which they require and the market at which they are targeted, these service activities have resulted in a structural concentration of income, causing a marked quantitative and qualitative distortion in the significance and interpretation of per capita income indicators in Panama.

From a geographical and political standpoint, between 1982 and 1991, 48 per cent of corregimientos in Panama recorded per capita incomes lower than the cost, in Panama City, of the basic food basket, which, at that time, was 195.16 balboas per month.

In 45 per cent of the country's districts, which are home to 20 per cent of the country's population, the level of satisfaction of basic needs is defined as "very low, low or below average". These districts are predominantly rural and have a large proportion of indigenous people and a highly dispersed population.

2.4 Employment situation

Historically, unemployment levels have been relatively high in Panama. By the 1960s, they were over 6 per cent, despite the economic growth experienced during those years. This was a reflection of the deep-seated structural problems affecting the economy's capacity to absorb the growing supply of manpower.

Panama's economy was affected by the critical situation experienced by the country in the 1980s: coercive economic measures, a fall in growth rates, a reduction in the investment ratio and ensuing socio-political problems. This situation caused an unprecedented increase in the unemployment rate, which in 1989 reached 20.4 per cent in the metropolitan region and 10.7 per cent in the rest of the country, averaging 16.3 per cent for the economically active population nationwide.

Of the employed population, 21 per cent are underemployed, in terms either of income or of hours worked. The decline in household incomes as a result of unemployment and underemployment is forcing a greater proportion of young people

and women to enter the labour market, yet unemployment in these groups is 30 per cent and 22 per cent respectively.

In general, the labour market has shown conflicting trends. There were some significant indicators of modernization in past decades, such as the proportion of highly skilled occupations, the increase in women's participation in the workforce and the decrease in agricultural employment, and these indicators have continued to behave positively.

At the same time, new employment opportunities have been concentrated in the metropolitan region and in a limited number of economic activities, the proportion of people working in the informal sector has increased, the proportion of wage-earners has decreased and the real wages of private sector workers have declined. All these factors have had a negative impact on the living and working conditions of the Panamanian labour force.

3. GENERAL POLITICAL STRUCTURE

3.1 Overview

The Panamanian nation is organized as a sovereign and independent State, and its name is the Republic of Panama.

Its Government is unitary, republican, democratic and representative.

Panama achieved independence from Spain on 28 November 1821 and voluntarily joined with Greater Colombia, then under the leadership of the Liberator Simón Bolívar and governed by the Constitution adopted in Villa del Rosario de Cúcuta on 30 August 1821. This Constitution established a centralist system bringing together the departments of Colombia, Venezuela, Cundinamarca and Quito, to which Panama was added. On 27 August 1828, General Simón Bolívar assumed supreme power, under the title of Liberator and President.

When Greater Colombia broke up in 1830 while Bolívar was still alive, Panama tried to separate itself off from what remained of the Colombian Government, but desisted at Bolívar's direct request. Later, in 1832, a new Constitution was passed which created a new State, Nueva Granada, and reduced Panama to a province of that State. Despite repeated uprisings and rebellions by the people of the Panamanian isthmus, they received the same treatment in the 1853 Constitution.

In the midst of constant civil wars which shook Nueva Granada throughout the nineteenth century, and in an effort to thwart Panama's struggle to regain its independence, a new federalist Constitution was introduced which remained in force until 1886. Finally, Nueva Granada changed its name to The United States of Colombia and again reduced Panama to a province.

In order to secure its control over the isthmus of Panama, Nueva Granada authorized the signing of a treaty with the United States of America whereby the latter would guarantee Nueva Granada's sovereignty over Panama by military means. In return, the United States would be allowed unrestricted, duty-free passage of goods, passengers and troops through the isthmus of Panama, and it

was granted important concessions for the construction of a railway across the isthmus.

When, after Panama's victorious 1903 rebellion, the United States Congress criticized the United States President for not having supported the Colombian Government in putting down the popular uprising, as stipulated in the Mallarino-Bidlack Treaty, the President handed over a report showing that the Colombian Government had on more than five occasions requested the use of military force to suppress the rebellion and Panamanians' longing for independence.

Panama finally proclaimed its complete independence on 3 November 1903.

The price which Panama had to pay for the discontinuation of United States support for Colombia's occupation of Panama was to give it almost sovereign rights, in perpetuity, to a strip of land suitable for the construction of a canal; these were the same privileges which the United States had had for the railway.

Since Panama became an independent nation, it has had four Constitutions. The first was approved by constitutional convention in 1904 and remained in force until 2 January 1941. That Constitution gave the United States the right to intervene unilaterally in order to restore public peace and constitutional order (art. 136), a right which that country exercised repeatedly, occupying some regions of the country for several years.

The 1941 Constitution was the result of a popular reform movement led by the then President of the Republic, Mr. Arnulfo Arias Madrid, who sought to reform the power structure to give himself broader discretion in exercising his authority. In that context, Mr. Arias's party was giving expression to a growing nationalist, anti-oligarchical sentiment. However, the way in which the Constitution was repealed, and the proposed amendments adopted; the content of some articles of the amendments, which were heavily influenced by ideologies prevailing in Nazi Germany; the pro-German orientation of the President's international diplomacy; and the practices and orientation of the Government prompted the formation of a broad domestic coalition, which the United States supported and which put an end to the Arias Government in 1941 and to the new Constitution at the end of the Second World War. After the war, the 1946 Constitution was debated and approved by a highly representative constituent assembly.

In 1968, a coup d'état was staged by young Panamanian army officers. In 1971, the ruling military junta issued Decree No. 214 of 11 October 1971 creating a commission to carry out a "revolutionary reform" of the 1946 Constitution. This constitutional reform process resulted in the 1972 Constitution, which, inter alia, preserved the formal structure of earlier Constitutions, expanded social rights, regulated political parties, created a National Assembly of Community (Corregimiento) Representatives and a National Legislative Council, gave the State a greater role in the economy and separated the functions of Head of State and Head of Government; the latter functions were assigned by national referendum to General Omar Torrijos Herrera, leader of the revolutionary movement.

General Torrijos Herrera launched a campaign for the recovery of Panama's sovereignty in the Canal Zone, wining the support of the international community. After lengthy negotiations, the Panama Canal Treaty and the Treaty concerning the permanent neutrality and operation of the Panama Canal were signed on 7 September 1977.

Pursuant to these treaties, the Republic of Panama will assume full jurisdiction over the Canal as of noon on 31 December 1999.

In 1978 and 1983, far-reaching constitutional reforms were enacted by broad consensus. These progressively restored democratic responsibilities to the electorate in choosing freely, secretly and directly all elected bodies and representatives of the State.

The Government of the Republic of Panama, in accordance with article 2 of the Constitution, comprises three main branches, the executive and legislative branches and the judiciary, which work independently but in harmonious cooperation.

3.2 Executive branch

According to the Constitution, the executive branch is composed of the President of the Republic and the Ministers of State.

The President of the Republic exercises his powers alone or with the participation of the Ministers, meeting in Cabinet Council.

The President of the Republic is elected by direct popular suffrage, by a majority of votes and for a term of five years.

In the same manner and for an equal term, a First and a Second Vice-President are also elected. They replace the President in his absence, in accordance with articles 182, 183 and 184 of the Constitution.

The executive branch is currently composed of 12 Ministries: Interior and Justice, Foreign Affairs, Health, Finance and Treasury, Planning and Economic Policy, Presidency, Housing, Education, Public Works, Commerce and Industry, Labour and Social Welfare, and Agricultural Development.

Members of the Cabinet must be Panamanian by birth, must be at least 25 years old and must not have been sentenced by the judiciary to imprisonment for crimes against the public administration.

The Cabinet Council

The Cabinet Council is the meeting of the President of the Republic, who presides, with the Vice-Presidents of the Republic and the Ministers of State. The Cabinet Council's functions include the following:

1. It acts as an advisory body on matters submitted to it by the President of the Republic and on matters on which it must be heard by virtue of the Constitution or the law;

2. It decides, with the President of the Republic, on the appointment of Supreme Court judges, the Attorney General and the Solicitor General, and their alternates, subject to the approval of the Legislative Assembly;

3. It decrees, subject to the collective responsibility of all its members, states of emergency and suspension of the relevant constitutional norms, in accordance with article 51 of the Constitution.

The General Council of State

The General Council of State is the meeting of the President of the Republic, who presides, with the Vice-Presidents of the Republic, the Ministers of State, the Directors of autonomous and semi-autonomous entities, the Chief of Police, the Comptroller General of the Republic, the Attorney General, the Solicitor General of the Administration, the President of the Legislative Assembly and the Presidents of provincial councils.

The General Council of State acts as an advisory body on matters referred to it by the Office of the President of the Republic or the Office of the President of the Legislative Assembly.

The executive branch has two main areas of jurisdiction: that of the central Government and that of decentralized institutions. The central Government lays down overall public policy and how it is to be implemented. Decentralized institutions are the various autonomous and semi-autonomous public entities, and they are responsible for executing government functions and programmes through the policies established by the central Government.

3.3 Legislative branch

Since the first Constitution of the Republic, of 1904, Panama's legislative branch has undergone some changes, especially in its name and composition. Generally speaking, however, its functions have changed little. Its composition has ranged from a National Assembly made up of deputies elected in proportion to the population of electoral precincts, to a National Assembly of Community (Corregimiento) Representatives made up of 505 representatives of these communities (a position for which candidates could be nominated freely), elected in free, secret and direct voting by the citizens residing in each of these political/administrative units, which have existed since colonial times.

From 1904 to 1968, the legislative branch was made up of between 40 and 60 deputies.

The 1972 Constitution established that legislative functions would be shared by the National Assembly of Community (Corregimiento) Representatives and the National Legislative Council, made up of the President and Vice-President of the Republic, the Ministers of State, the President of the National Assembly of Community Representatives and an unspecified number of members freely appointed and removed by the executive branch.

The 1978 constitutional reforms transformed the National Legislative Council into a 57-member body, with some members elected directly and others indirectly, and entrusted all legislative functions to it.

One third of members of the Council could be elected directly by popular vote, while the rest (4 per province and 1 for San Blas) were chosen from among the 505 community representatives.

The 1983 constitutional amendments provided that the functions of the legislative branch would be performed by the Legislative Assembly, whose members, referred to as legislators, would be elected proportionally in electoral districts referred to as electoral precincts. Candidates to the Assembly were to be nominated by political parties for a five-year term and elected in free, direct and secret voting by citizens aged 18 years and over. This is the system currently in force. In 1984, the Legislative Assembly comprised 67 legislators, as it did again in 1989, as a result of the application of the formula described in article 141 of the Constitution. However, since by 1994 that formula would have caused a substantial increase in the number of legislators because of the increase in population, the Legislative Assembly adopted Act No. 28 of 1993, limiting the Assembly's growth and fixing its membership at 72 legislators.

The legislative branch is unicameral and considers, analyses, evaluates and approves bills.

Electoral precincts are formed taking into account the existing political and administrative division of districts and the number of inhabitants.

The gender breakdown of the Legislative Assembly is as follows: from 1984 to 1989, it comprised 67 legislators, of whom four were women; from 1989 to 1994, it comprised 67 legislators, of whom five were women; in the present term, from 1994 to 1999, there are 72 legislators, of whom seven are women.

With regard to the representation of political parties, in the two terms between 1984 and 1994, seven political parties were represented in the Assembly; in the present term, 13 political parties are represented in the Assembly.

Functions

The main function of the legislative branch is to enact the laws needed to fulfil the goals and exercise the functions of the State as declared in the Constitution.

The Assembly's functions are legislative, judicial and administrative and are stipulated in articles 153, 154 and 155, respectively, of the Constitution.

Meetings

The Legislative Assembly convenes, in its own right and without prior convocation, in the capital of the Republic. It meets for a total of eight months a year, divided into two four-month regular sessions. These legislative sessions last from 1 September to 31 December and from 1 March to 30 June.

Regular meetings last four hours and are held from Monday to Thursday. They are public and must be broadcast by radio throughout the country.

The Legislative Assembly also meets in special session, when convoked by the executive branch and for as long as the latter stipulates, to deal exclusively with matters that the executive branch submits for its consideration.

Officers

The officers of the Assembly are a President, a First Vice-President and a Second Vice-President, who must be members of the Assembly. They are elected for a one-year term by the plenary of the Legislative Assembly and cannot be re-elected.

The Secretary and Assistant Secretary are elected for a five-year term by an absolute majority of votes of members of the Assembly and do not have to be members of the Assembly to occupy these posts.

Standing committees

There are 21 standing committees. Each has a Chairman, a Vice-Chairman and a Secretary, all of them members of the Assembly, who are elected by a majority of votes from among the members of each committee. The standing committees are the following:

1. Credentials, internal justice, regulations and judicial affairs
2. Revision and editing
3. Government, justice and constitutional affairs
4. Budget
5. Public finance, planning and economic policy
6. Commerce, industry and economic affairs
7. Public works
8. Education, culture and sports
9. Canal affairs
10. Labour and social welfare
11. Communications and transport
12. Public health and social security
13. Foreign relations

14. Agriculture

15. Housing

16. Human rights

17. Indigenous affairs

18. Population, environment and development

19. Women's issues, rights of the child, youth and the family

20. Control and eradication of drugs and drug trafficking

21. Ethnics and parliamentary privilege.

The last six standing committees listed were created after 1992.

The Budget Committee has 15 members and elections to it are held every year.

Special or ad hoc committees

Ad hoc committees, elected by the plenary of the Assembly and comprising at least six Assembly members, may be set up to perform special functions or pursue specific goals other than those assigned to the standing committees. Special committees may also be set up, appointed directly by the President of the Legislative Assembly.

3.4 Judiciary

Since the birth of the Republic of Panama as a sovereign, independent State, the Constitution has included a title on the administration of justice.

The 1972 Constitution, as amended by the Reform Acts of 1983, the Constitution Act of 1978 and Legislative Act No. 1 of 1993, deals with the administration of justice in its Title VII, chapters I and II.

Article 199 of the Constitution establishes that:

> "The judiciary is composed of the Supreme Court of Justice and such other courts as may be created by law".

The judiciary is the most technical of the three branches of Government; its task is to settle disputes arising from the violation or interpretation of legal norms, in cases where a judicial decision is required to ensure the full enjoyment of pre-existing rights. It is thus responsible for maintaining the legal order of the State through pronouncements in law, whether voluntary, precautionary or in litigation.

The Supreme Court of Justice

The Supreme Court of Justice is divided into four chambers, each comprising three permanent members: the Civil Chamber, the Criminal Chamber, the Administrative Litigation Chamber and the General Transactions Chamber, made up of the Presidents of the three other chambers and presided over by the President of the Supreme Court.

The constitutional powers of the Supreme Court are set out in article 203 of the Constitution, which reads as follows:

"Article 203. The powers of the Supreme Court shall include the following:

"1. Safeguarding the integrity of the Constitution. To this end and after hearing the Attorney General of the Nation or the Solicitor General of the Administration, the Court shall in plenary session hear and rule on the unconstitutionality of laws, decrees, decisions, resolutions and other acts which, for reasons of substance or form, are challenged before it by any person.

"2. Reviewing administrative decisions and actions, namely, acts, omissions or defective or deficient performance by public servants and resolutions, orders or directives executed, adopted, issued or committed by public officials, national, provincial and municipal authorities and autonomous and semi-autonomous entities in the exercise of their functions or on the pretext thereof. To this end and after hearing the Solicitor General of the Administration, the Court may declare the acts in question null and void, restore the individual rights violated, enact new provisions to replace those impugned and give preliminary rulings on the meaning and scope of an administrative act or legal effect.

"3. Issuing objections of unenforceability."

"The Judicial Code establishes the jurisdiction and functions of the four chambers: each chamber is autonomous and has its own secretarial staff, with the result that the chambers are completely independent of each other in carrying out their respective jurisdictional functions."

The Judicial Code also gives the plenary Supreme Court jurisdiction over cases or transactions involving maritime dams, as well as trials for ordinary crimes or misdemeanours committed by Ministers of State, the Attorney General, the Solicitor General, members of the Legislative Assembly, police commanders and members of the police general staff, the Comptroller General of the Republic and members of the Electoral Tribunal. The functions of the plenary Court also include electing the President and Vice-President of the Supreme Court every two years and selecting judges of the Superior courts. It must ensure that, in accordance with due process, justice is done promptly and fully in the case of remedies of habeas corpus and amparo lodged by officials or corporations having jurisdiction throughout the Republic or in two or more provinces.

Territorial organization and jurisdiction of the judiciary

Territorial organization: article 66 of the Judicial Code establishes that the territory of the Republic has four judicial districts. These are divided into judicial circuits, which are subdivided into municipal circuits.

The First and Second Superior Courts belong to the first judicial district, which has jurisdiction in the province of Panamá, part of Colón, Darién and the special province of San Blas. This judicial district has five judges and five alternates.

The second judicial district covers the province of Veraguas and part of the province of Colón. The third judicial district is made up of the provinces of Chiriquí and Bocas del Toro, while the fourth judicial district is made up of Herrera and Los Santos provinces. Each of these judicial districts has a superior court made up of three principal judges and three alternates.

Below the superior courts there are the circuit courts, whose jurisdiction covers the political and administrative territorial unit known as a province.

The municipal courts are the lowest-ranking courts in the judicial hierarchy and are subordinate to the circuit judges of the province to which they belong.

Judicial auxiliaries

The Public Prosecutor's Office is a judicial auxiliary and was created by the 1904 Constitution. According to the constitutional and legal norms in force, the Office is the representative of society, and therefore of the family as the nucleus of Panama's social system.

The Constitution contains the following provisions with regard to this important body:

> "Article 216. The Office of the Public Prosecutor shall be made up of the Attorney General of the Nation, the Solicitor General of the Administration, prosecutors and such other officials as the law may stipulate.
>
> "Members of the Office may be delegated, as provided by law, to perform the functions of Attorney General of the Nation ..."

The Judicial Code gives the Office two roles in criminal proceedings. First, it plays the role of investigating judge in the pre-trial phase, in accordance with article 2007 of the Judicial Code:

> "Article 2007. Pre-trial proceedings for crimes coming under the jurisdiction of ordinary courts of justice shall be conducted by members of the Public Prosecutor's Office in their capacity as investigating officials."

Second, it acts as public prosecutor, in accordance with articles 1976 and 2206 of the Judicial Code. Article 1976 states:

"Article 1976. Criminal proceedings are public and are brought by the State through the Office of the Public Prosecutor, in the cases expressly mentioned in this Code."

The Public Prosecutor's Office is thus empowered to perform the functions of investigating judge during the pre-trial phase and, once this is over, to transfer these functions to the competent judge; and to prosecute cases before the plenary court.

It may be inferred from article 2007 that responsibility for pre-trial proceedings is concentrated in the Public Prosecutor's Office, acting as investigating judge, and that, unlike in other Latin American States, this task is performed by judges.

The Constitution establishes the following provisions which apply to all members of the Public Prosecutor's Office:

"Article 217. The functions of the Office of the Public Prosecutor are:

"1. To defend the interests of the State or the municipality;

"2. To promote compliance with or the enforcement of laws, judicial decisions and administrative directives;

"3. To monitor the official conduct of public officials and ensure that they all discharge their duties properly;

"4. To prosecute crimes and breaches of legal or constitutional provisions;

"5. To serve as legal advisers to administrative officials;

"6. To carry out such other functions as the law stipulates."

4. GENERAL FRAMEWORK FOR THE PROTECTION OF HUMAN RIGHTS

With regard to the general legislative framework governing the application and protection of human rights in the Republic of Panama, all national authorities are involved in some way in protecting fundamental human rights. The current Constitution states:

"Article 17. The authorities of the Republic of Panama are required to protect the life, honour and property of nationals, wherever they may be, and of any foreigners under their jurisdiction, to guarantee the effective exercise of individual and collective rights and duties and to uphold the Constitution and the law."

Within these parameters, the Judiciary as a whole and the Ministry of the Interior and Justice have greater responsibility, because their constitutional

and legal functions are closely linked to the protection of the human rights of nationals and foreigners residing in or passing through the national territory.

The Constitution and ordinary legislation provide for a wide range of actions, procedures and remedies against acts or omissions which undermine the enjoyment of fundamental individual rights.

The Constitution provides such institutional guarantees as habeas corpus, which protects individual liberty; actions of amparo (protection of constitutional guarantees) against mandatory or prohibitory injunctions issued by any public servant which allegedly violate constitutional rights and guarantees; and actions and warnings of unconstitutionality which any person or party in a legal proceeding can bring before the Supreme Court to challenge, for reasons of form and substance, laws, decrees, agreements, decisions and resolutions issued by the authorities and to have them declared unconstitutional, in order to secure their repeal.

In criminal, administrative, labour and police matters, the law provides for a series of actions, procedures and remedies which are fully defined in ordinary law. Some of these include: the interlocutory procedure in the pre-trial phase of criminal proceedings and the remedies of annulment, review, cassation and revision.

In the area of compensation and rehabilitation systems, article 1645 of the Civil Code establishes that the State is jointly responsible for harm caused by act or omission on the part of public officials, provided that it acted through a special agent. Article 129 of the Criminal Code also provides that the State shall be required to make civil reparation when the case against an accused is dismissed and he has been held in pre-trial detention for more than one year. The Judicial Code also provides that claims may be made against the Government and autonomous and semi-autonomous authorities to obtain compensation for harm to persons whose rights have been violated, provided that those rights were violated by public servants.

With regard to the system of prisoner rehabilitation, the Constitution states:

> "Article 28. The penitentiary system is based on principles of security, rehabilitation and the protection of society. Any measure detrimental to the physical, mental or emotional well-being of prisoners is prohibited.
>
> "Prisoners shall be taught occupational skills which will facilitate their reintegration as useful members of society.
>
> "Detained minors shall be subject to a special system of custody, protection and education".

The various human rights instruments are reflected both in the Constitution and in ordinary law.

In the Constitution, fundamental human rights may be suspended only as stipulated in Title III, article 308, dealing with constitutional amendments. This system is governed by the following procedures:

1. By legislative act approved after three readings in the Legislative Assembly.

2. By legislative act approved after three readings in the Legislative Assembly but submitted to a popular referendum.

The circumstances under which nine of the 34 fundamental guarantees set out in the Constitution may be suspended are defined in the following article:

"Article 51. In time of foreign war or internal unrest which threatens peace and public order, a state of emergency may be declared in all or part of the Republic and the effects of articles 21, 21A, 22, 25, 26, 28, 36, 37 and 43 of the Constitution may be temporarily suspended, in whole or in part.

"The state of emergency and the suspension of the effects of the above constitutional norms shall be declared by the executive branch, by means of a decree agreed upon by the Cabinet Council.

"The legislative branch shall, of its own authority or at the request of the President of the Republic, review the declaration of a state of emergency if the latter lasts more than 10 days and shall confirm or repeal, in whole or in part, the decisions taken by the Cabinet Council with regard to that state of emergency ..."

From the above we can deduce which fundamental guarantees may not be suspended during a state of emergency:

1. The authorities' obligation to protect the life, honour and property of citizens, wherever they may be, and of foreigners under their jurisdiction;

2. The right of individuals to be answerable to the authorities only for breaches of the Constitution and the law;

3. The right prohibiting discrimination on grounds of race, birth, social class, sex, religion or political opinion;

4. The right to equality before the law;

5. The right of nationals and foreigners not to be extradited for political crimes;

6. The right not to be compelled to testify against oneself, one's spouse or one's blood relatives up to four degrees removed or relatives by marriage twice removed, in criminal, correctional or police matters;

7. The right to be punished only for acts declared punishable by laws which predate and are applicable to the acts in question;

8. The right to due process;

9. The right to freedom of religion;

10. The right to freedom of association;

11. The right to freedom of occupation;

12. The right to complain and petition;

13. The right prohibiting the death penalty, exile and confiscation of property;

14. The right to not have the law applied retroactively, with the exception of laws concerning public order and the public interest.

International human rights norms contained in conventions, treaties and declaration of principle are incorporated into domestic law by means of a law recording their approval by the Legislative Assembly, after three readings on three different days, which must be ratified by the executive branch in accordance with the Constitution.

According to the Constitution and laws of the country, in order for the norms contained in international human rights instruments to be invoked before the courts or the administrative authorities, they must first have become domestic law through their approval by the Legislative Assembly.

Human rights administrative litigation proceedings

This legal instrument originated in the draft amendments to Book I of the Judicial Code, which later became Act No. 19 of 9 July 1991. The proceedings for the protection of human rights are based on Spanish law and, like it, differ somewhat from the traditional French approach, in which administrative litigation is a legal instrument for reviewing specific acts. In Panama, it is used to protect the fundamental human rights of the individual.

These new proceedings are designed to protect certain individual human rights from acts by the public administration which might violate them. These are what are known as "justiciable human rights".

The human rights which the public administration can be legally required to respect are civil and political rights since, generally speaking, economic, social and cultural rights are programmatic rights which simply commit Governments to adopting measures to gradually achieve favourable social and economic conditions for the population.

Another characteristic is that these proceedings are designed to protect human rights only against violations resulting from administrative acts by national authorities. This means that they can only review acts by national authorities such as the central Government, autonomous or semi-autonomous institutions, the National Assembly or judicial bodies with nationwide jurisdiction. Administrative acts by provincial and municipal authorities are

excluded because it was felt that, given the current structure of the Administrative Litigation Chamber, the only court in Panama with jurisdiction in this area, it would not be advisable to have the Chamber review the acts of all provincial or municipal authorities for fear of giving it an impossibly heavy caseload.

Act No. 19 provided that human rights administrative litigation proceedings must be conducted in accordance with the provisions of Act No. 135 of 30 April 1943 and Act No. 33 of 11 September 1946, under which all internal remedies must have been exhausted. However, Act No. 19 also provides that, generally speaking, the complainant does not have to have exhausted all internal remedies before appealing to the Administrative Litigation Chamber.

Another exception is that the Solicitor General of the Administration may intervene in these proceedings only in the interests of upholding the law.

Thus, paragraph 15 of article 98 of the Judicial Code provides as follows:

"Article 98. The Administrative Litigation Chamber shall be responsible for proceedings brought as a result of acts, omissions or defective or deficient performance by public servants and resolutions, orders or directives executed, adopted, issued or committed by public officials, national, provincial and municipal authorities and autonomous and semi-autonomous entities in the exercise of their functions or on the pretext thereof. The Chamber shall therefore hear the following administrative litigation proceedings:

"...

"15. Proceedings for the protection of human rights, whereby the Chamber may declare administrative acts by national authorities to be null and void and, where appropriate, restore or make good the violated rights, when such acts violate justiciable human rights provided for in the laws of the Republic, including laws ratifying international human rights conventions. These proceedings shall be conducted in accordance with the provisions of Act No. 135 of 30 April 1943 and Act No. 33 of 11 September 1946, but the complainant will not be required to have first exhausted all internal remedies. The Solicitor General of the Administration shall intervene only in the interests of upholding the law."

With regard to the existence of an institution responsible for ensuring respect for human rights, the Government of the Republic of Panama has submitted to the Legislative Assembly a bill creating a Public Defender's Office. That institution will be responsible for ensuring protection of the rights set forth in Title III of the Constitution and other rights provided for in the Constitution, international human rights agreements and the law, and for monitoring the acts and omissions of all public servants.

II. SUBSTANTIVE PROVISIONS RELATING TO EACH ARTICLE OF THE CONVENTION

ARTICLE 1: Discrimination against women

Article 19 of chapter 1 (Fundamental guarantees) of Title III (Individual and social rights and duties) of the Constitution of the Republic of Panama states: "There shall be no public or private privileges, or discrimination, on grounds of race, birth, social class, sex, religion or political opinion".

The public authorities are required to bear article 19 in mind. However, reasons of a cultural, political and social nature often prevent women from enjoying, as fully fledged citizens, the benefits expressly provided by the Constitution and from sharing power and responsibility with men in the home, in the workplace and in the broader context of the political spheres in which decisions affecting the nation's economic, social and cultural life are taken.

Our country committed itself internationally to empower women in society, improve their living conditions and eliminate all obstacles to their participation in every area of life.

This is why, in civil society, non-governmental organizations pooled their efforts, through the Women and Development Forum and the Coordinating Office of Organizations for the Advancement of Women (CODIM), among others, took upon themselves the task of formulating a plan which would systematize their aspirations and spell out their objectives and a set of measures to help consolidate the progress made.

The conceptual framework of the Women and Development Action Plan 1994-2000 was drawn up in 1993, and on the basis of this document a series of meetings and events was held with a view to determining priorities, recording experiences, evaluating the work done, analysing future opportunities and obstacles and committing the forces of the nation to the implementation of the Plan (see annex 3).

Following this major effort, the women's movement, in close coordination with the Government, took on the task of putting the Women and Development Action Plan into effect.

The Action Plan and its implementing measures incorporate the content of the Platform for Action adopted at the Fourth World Conference on Women, which was in turn based on the Convention on the Elimination of All Forms of Discrimination against Women, the Nairobi Forward-looking Strategies for the Advancement of Women and the relevant resolutions of the Economic and Social Council and the General Assembly of the United Nations.

On 8 March 1997, International Women's Day, the National Women's Council formally delivered the document on the implementation of the Action Plan to the President of the Republic, Ernesto Pérez Balladares, and his wife, Dora Boyd de Pérez Balladares. The ceremony was attended by leading members of both the Government and civil society.

The implementation of the Action Plan has the support of the Women and Development Forum, CODIM, the Government, UNICEF and the European Union.

The Action Plan is among the most recent advances achieved in our country in the area of women's issues. It establishes a National Women's Council, which draws its membership equally from civil society and the Government and acts as an advisory body on public policy. The Council was created by Executive Decree No. 70 of 27 July 1995. The following are some of its functions:

(a) To formulate and propose public policies;

(b) To coordinate activities with the various national and international institutions, groups and organizations promoting the advancement of women;

(c) To ensure implementation of the Convention on the Elimination of All Forms of Discrimination against Women, adopted by the United Nations General Assembly on 18 December 1979 and ratified by Panama as Act No. 4 of the Republic in 1981, and, at the same time, to implement the other international conventions ratified by Panama, including the Convention of Belém do Pará;

(d) To submit to the relevant bodies draft legislation and projects for the advancement of women;

(e) To ensure the implementation of the National Development Plan and of proposals for present and future action.

The members of the Council are citizens from the government sector and from civil society.

In addition to the Council, a National Women's Office was created by Executive Decree No. 77 of 30 August 1995. Its objectives include:

(a) Promoting the participation of women in the country's economic, political and social development;

(b) Formulating, developing and executing public policies for women;

(c) Implementing programmes and studies, providing services and carrying out any other relevant activities for the advancement of women;

(d) Establishing relations and coordinating activities with governmental, non-governmental and international organizations, with a view to exchanging experience and information.

The National Office will have an interdisciplinary team to carry out the activities described above.

In addition, the European Union, together with the United Nations Children's Fund, supported the implementation of the Women and Development Action Plan and formulated a cooperation programme entitled "Promotion of equal opportunities in Panama". This programme was approved by the Council of Ministers of the European Union in November 1995 and involves the implementation

of a large number of projects, in society at large and within the Government, totalling US$ 18.5 million, to be disbursed over five years starting in January 1997; the European Union will contribute US$ 13.1 million and the Government of Panama US$ 5.4 million.

The programme's general objectives are to:

- Improve the situation and promote the participation of women from all social groups in the political, social and economic development of Panamanian society, on the basis of equality of opportunity with men;

- Improve gender relations, i.e. promote egalitarian and more democratic relations within society and thus contribute to the more harmonious development of society as a whole.

Its specific objectives are to:

- Strengthen public policies for the promotion of equal opportunities and combat sex discrimination;

- Combat discrimination and encourage equal opportunities in civil society, its organizations and the mass media.

The planned activities include:

(a) Support for the creation in the public and State sector of entities specifically responsible for promoting egalitarian relations between women and men. The bodies responsible for this action are the Ministry of Labour and Social Welfare (MITRABS), the Ministry of Education (MINEDUC), the Vocational Training Institute (INAFORP) and the University of Panama;

(b) Promotion of equal opportunities in and through the national education system. The responsible bodies are MINEDUC, the Escuela Normal (Teacher Training College), the University of Panama and INAFORP;

(c) Promotion of gender analysis in ministries and non-governmental organizations (NGOs);

(d) Cooperation with mixed and women's mass organizations;

(e) Support for NGO programmes for women;

(f) Social communication activities to increase the general public's awareness of the issue.

The "Promotion of Equal Opportunities in Panama" programme will last five years.

In 1996, the National Women's Office had the following tasks:

(a) Preparing the implementation of the agreement between Panama and the European Union on the "Promotion of equal opportunities in Panama" programme;

(b) Launching the implementation of the Women and Development Action Plan (1996-2001) in some fundamental areas:

(i) Women and health;

(ii) Women and education;

(iii) Women and poverty;

(iv) Violence against women;

(c) Launching the process of increasing the general public's awareness of women's issues and training civil servants in gender analysis;

(d) Compiling and systematizing information on women, gender and development in particular.

For the first time in its history, Panama hosted the General Assembly of the Organization of American States (OAS) when it held its twenty-sixth session. The National Women's Office participated in the session, at which women's issues were taken up by the Committee on Economic and Social Matters, and Educational, Scientific, and Cultural Matters. Several draft resolutions were submitted to the Committee, and most of them were approved by Panama, including: "Status of women in the Americas"; "Cooperation within the inter-American system to ensure full and equal participation by women in the development process"; and "Fifth biennial report of the Secretary General on compliance with resolution AG/RES.829 (XVI-0/86), 'Full and equal participation of women by the year 2000'". Those resolutions include the following provisions:

1. To recommend to the member States that they strengthen and, where necessary, create mechanisms for the advancement of women and that they bear in mind the need to use gender analysis in devising and executing public policy;

2. To urge the Inter-American Council for Integral Development to consider the gender perspective when devising and executing development projects;

3. To reiterate the importance of full compliance with the Strategic Plan of Action of the Inter-American Commission of Women;

4. To invite the organs, agencies, and entities of the inter-American system to work with the Inter-American Commission of Women (CIM) by drawing up joint action programmes within their respective spheres;

5. To urge the Secretary General to establish the mechanisms required to ensure proper coordination, when necessary, between the various areas of the General Secretariat and the Executive Secretariat of the CIM regarding women's issues;

6. To welcome the fifth report of the Secretary General and, in particular, to recognize the work of the Task Force on Gender Issues and the Guidelines and Procedures for the Prevention and Handling of Sexual Harassment,

established in Executive Order No. 95-07, issued by the Secretary General in September 1995;

7. To request the Secretary General to include in his sixth report the evaluation methods and guidelines developed by the Task Force on Gender Issues;

8. To recognize the efforts of the Secretary General and the progress made by the organization in this area, and to request that efforts along these lines be continued;

9. To urge member States that have not yet done so to sign and ratify the Convention of Belém do Pará.

ARTICLE 2: Legislative and regulatory measures to eliminate discrimination and ensure the full development and advancement of women

In 1981, the State of Panama ratified by Act No. 4 of 22 May the Convention on the Elimination of All Forms of Discrimination against Women. This ratification led to an expansion of the opportunities for Panamanian women to participate in the various spheres of national development, and to the creation of new non-governmental organizations, research centres and women's action groups in political parties.

Article 4 of Panama's Constitution states that Panama abides by the rules of international law. Panama is thus constitutionally bound to respect the provisions of the Convention, and these provisions must therefore be treated as valid legal grounds for actions before the competent courts alleging violation of the principles and rights enshrined in the Convention.

It must be acknowledged that Panama, with women in the forefront, has made a great effort to incorporate in its legal system the principle of non-discrimination on grounds of sex stipulated in the Constitution, and to adopt legislation to combat violence and promote equality in marriage and family relations, etc. However, problems still persist, in the form of barriers, prejudices and socio-cultural attitudes which are delaying the advancement and empowerment of women in the material and cultural spheres which would make their professional and political life compatible with their family life, secure their recruitment to skilled occupations or to what have been traditionally regarded as male occupations, and enable them to assume political responsibilities.

If Panamanian women are to achieve equal opportunities, it will be necessary not only to improve and complete the legislative development of the principle of equality but also to change the behaviour, lifestyles and social structures which prevent women from freely developing their personalities and participating in public and private life.

Because so little publicity is given to laws and regulations for the advancement of women, few Panamanian women are aware of them. There are still legal gaps which perpetuate discrimination against women in their role as housewives and against rural and indigenous women, but it must be acknowledged that recent years have seen some amendments to legislation that discriminated against women:

Act No. 22 of 7 December 1990	Made it optional for a married woman to use her husband's surname on personal identity documents
Act No. 3 of 17 May 1994	Approved the Family Code
Act No. 9 of 20 June 1994	Established and regulated the civil service career (prohibition and punishment of sexual harassment)
Act No. 44 of 12 August 1995	Established rules regularizing and modernizing labour relations. Includes sexual harassment in the workplace as grounds for dismissal and for justified resignation by the employer and the worker respectively
Act No. 12 of 20 April 1995	Ratified the Inter-American Convention (Belém do Pará) on the Prevention, Punishment and Eradication of Violence against Women
Act No. 27 of 16 June 1995	Characterized domestic violence and child abuse as crimes
Act No. 50 of 23 November 1995	Protects and encourages breastfeeding

The recently adopted Family Code, which entered into force on 3 January 1995, recognizes equality in family relations and provides for the protection of minors. The new Code establishes norms regulating relations between men and women on an equal footing in health, education, employment, etc., and revokes provisions of the 1917 Code which perpetrated serious discrimination against women. However, problems are being encountered in applying the new legislation, for there are still conservative sectors of the population who do not accept the changes in the Code and are obstructing its genuine application (see annex 4).

Pursuant to the provisions of this Code, the National Council on the Family and Minors, an independent scientific and civic body drawing its membership from the Government and from social and community organizations, has been set up which will cooperate and function as an effective consultative mechanism in the organization, promotion, development, monitoring and coordination of public and private programmes and policies concerned with the prevention, protection and welfare of children and the family.

Act No. 12 of 20 April 1995 ratified the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, adopted by acclamation at the twenty-fourth regular session of the General Assembly of the Organization of American States on 9 June 1994 in Belém do Pará, Brazil. It was because of this Convention and thanks to the women's movement that Act No. 27 of 16 June 1995 characterized domestic violence and child abuse as crimes. The Act also ordered the establishment of specialized units to deal with the victims of these crimes, amended and expanded articles of the Penal Code and the Judicial Code and adopted other measures.

Unfortunately, there are as yet no figures on reported cases of domestic violence or child abuse handled by the district family courts and the higher family courts. It is hoped that these statistics will become available in the near future as a result of research into the issue, and will show the extent to which the new Act on domestic violence and child abuse has been used since its implementation.

From January to August 1996, the First Special Prosecutor's Office for Family and Children's Affairs of the Office of the Public Prosecutor dealt with 190 women, 11 men and 32 children who had suffered domestic violence. The Second Special Prosecutor's Office for Family and Children's Affairs dealt with 101 women victims of domestic violence, comprising 28 cases of physical abuse, 18 cases of mental cruelty, 49 cases of physical abuse and mental cruelty and 5 cases of sexual abuse. These cases were reported during the period from January to August 1996. During the period from June to December 1995, prior to the entry into force of the Act on domestic violence and child abuse, these crimes were dealt with by the local prosecutor's offices.

On 12 October 1995, a bill establishing equal opportunities for women was introduced as a means of complying with the law, the international conventions ratified by Panama which commit it to taking appropriate action to eliminate gender discrimination and introduce public policies to that end, and the Women and Development Action Plan 1994-2001. However, the bill was not discussed during the last session of the Legislative Assembly and will therefore have to be resubmitted at the current session. The same fate befell Bill No. 42, submitted on 19 April 1995, on the prevention, prohibition, punishment and eradication of sexual harassment in the workplace and in the education system.

The Legislative Assembly currently has before it a bill on the creation of a Public Defender's Office as the national machinery for ensuring the protection and observance of the principles enshrined in the Constitution and in the international human rights conventions ratified by Panama.

The National Office for the Care of Refugees (ONPAR) has drafted a bill expanding on the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, which set out the rights and duties of refugees. If this bill is approved, it will replace the existing legislation: Act No. 5 of 26 October 1977, defined in resolution 461 of 9 October 1984, and Decree No. 100 of 6 July 1981. The bill takes a gender approach in both its form and its content, using non-discriminatory language and including provisions to replace existing ones which treat women refugees automatically as men's dependants.

Ms. Mariblanca Staff has brought actions of unconstitutionality against various discriminatory articles in a number of codes currently in force, including the Commercial Code, the Civil Code, the Labour Code, the Family Code and the Administrative Code. (See annex II on these discriminatory articles and the judgements declaring them unconstitutional.)

Although some success has been achieved with respect to the enactment of new legislation and the repeal of existing legislation that discriminates against women, there are still situations which limit and impair women's real access in the social, economic, political and cultural spheres in Panama and are

thus preventing the effective implementation of the Convention on the Elimination of All Forms of Discrimination against Women.

ARTICLE 3: Measures to ensure the full development and advancement of women

A. Public and private projects and programmes for women

The implementation of programmes and projects for the advancement of women by governmental institutions and private or non-governmental organizations of civil society during the 1980s and the early 1990s focused essentially on the areas of social welfare, technical and vocational support, economic assistance and attention to specific situations affecting women, job training, leadership and gender development and research into women's issues.

The following non-governmental organizations in Panama are responsible for promoting, through their respective projects, the comprehensive development of women:

1. Centre for Women's Development (CEDEM)
2. Foundation for the Advancement of Women (FUNDAMUJER)
3. Battered Women's Support Centre (CAMM)
4. Family Research and Training Centre (CEFA)
5. National Forum of Women in Political Parties
6. Centres for Social Research and Action (CEASPA)
7. National Coordinating Committee of Indigenous Women of Panama
8. Health Research and Studies Centre (CIES)
9. Centre for the Integral Development of Children
10. Centre for the Integral Development of Children, Women and the Family (CEDIMF)
11. Popular Legal Assistance Centre (CEALP)
12. National Union of Panamanian Women (UNAMUP)
13. Clara González Collective
14. Women's Pastoral Centre against Abuse (CEPAM)
15. Panamanian Women's Centre
16. "Nueva Identidad" Women's Organization
17. Research and Training Institute for the Advancement of Women

18. National Federation of Catholic Women

Many of these organizations offer legal advice and representation to abused women or to women who have to file lawsuits before the relevant authority on some other matter.

The National Women's Office, the United Nations Development Programme (UNDP) and the United Nations Population Fund (UNFPA) joined forces to hold the first meeting to form the Follow-up Committee to the Beijing Platform for Action, so that Panama could monitor compliance with the agreements entered into at the Fourth World Conference on Women. The Committee is made up of representatives of governmental and non-governmental women's organizations.

The innovative programmes and projects developed in the past 10 years to reduce the inequities encountered by Panamanian women at the political, economic, social and cultural levels include:

1. Programme for the comprehensive advancement of women (National Federation of Catholic Women), 1980-1990.

2. Technical and job training in areas not traditionally associated with women, gender awareness and cooperatives (Centre for Women's Development) 1991-1992.

3. Promotion of indigenous women's organizations for the production and marketing of arts and crafts (National Coordinating Committee of Indigenous Women).

4. Education and training of working women (Women's sections of trade unions and the Institute of Labour Studies), from 1993 onwards.

5. Population education activities (Ministry of Education).

Programmes and projects specifically for women which have been supported by governmental, private or international agencies or bodies (for key, see below).

International agency	Project/programme	Executing agency
UNDP	Research project: profile of the situation of women in Panama, 1992	CEDEM, UNDP, United Nations Development Fund for Women (UNIFEM)
	Project for the advancement of rural women in Cañazas district, Veraguas, 1992-1993	FUNDAMUJER
	Project for the advancement of Ngobe women, 1994-1996	UNDP

International agency	Project/programme	Executing agency
	Support for the involvement of NGOs and groups of private citizens from Central America in preparations for the Fourth World Conference on Women, 1994-1995	
UNFPA	Women, population education and job placement in non-traditional activities, 1994	Ministry of Labour and Social Welfare
	Women, gender and poverty, 1994	Ministry of Planning and Economic Policy
UNICEF	Study of organizations taking action for the advancement of women, 1988	
	Study on the situation of women in Panamanian society, 1989	
	Technical and job training in areas not traditionally associated with women, 1991-1992	CEDEM
	Subregional women's education project. Gender training and research into sex stereotyping in school textbooks	UNICEF, UNIFEM
	Women and development project sponsored by the National Women and Development Forum	CEASPA, UNICEF, UNIFEM
	Project for the promotion of breastfeeding, 1993-1996	Ministry of Health
World Health Organization (WHO)	Creation of the Centre for Research into Human Reproduction, 1987	Ministry of Health
Pan-American Health Organization (PAHO)	Women, health and development programme, 1987	Ministry of Health
Food and Agriculture Organization of the United Nations (FAO)	Research into the situation of rural women in Panama, 1992	FUNDAMUJER

International agency	Project/programme	Executing agency
United Nations Educational, Scientific and Cultural Organization (UNESCO)	Women, education and development programme	Ministry of Education
	Education for All programme	Ministry of Education and Santa María la Antigua University
International Labour Organization (ILO)	Advice to trade unions on research and women's participation	
International cooperation from individual countries (Spanish Ministry of Social Affairs and Women's Institute of Spain)	Panama: Latin American women in figures	FUNDAMUJER

The National Women's Office set up an inter-agency commission in February of this year to implement the Women and Development Action Plan in the area of violence. The commission is composed of representatives of five non-governmental organizations (CEPAM, FUNDAMUJER, CEDEM, CAMM and the Anti-Violence Network) and three public sector bodies (Ministry of Labour and Social Welfare, Ministry of Health and Superior Juvenile Court) and its purpose is to develop and improve the content and structure of the project for a battered women's shelter. The project is prompted by the urgent need for a temporary refuge where abused and at-risk women and their children can receive a full range of care, in the form of an appropriate multidisciplinary programme, to help them recover and readjust socially. Since the commission was established in 1996, it has drafted a preliminary version of the project, which remains to be finalized.

Also in the National Women's Office, a programme was designed for providing alternative legal counselling for working women. The programme is still at the preliminary stage and funding is being sought for it. Its main purpose is to eliminate all forms of discrimination against women in the workplace, in both the public and private sectors.

The Labour Department of the Ministry of Labour and Social Welfare is implementing a programme for working women to ensure compliance with labour law provisions, focusing on the social aspect of the Labour Code, and is also taking the necessary measures to enforce the law and to avoid labour problems and disputes. At the same time, compliance with maternity laws is being monitored and statistics are being recorded. However, these activities have not been expanded because of a lack of financial, technical and human resources. As a

result it has not been possible to implement fully the programme for working women in the area of occupational safety and the working environment, the main aims of which are to monitor safety in the workplace and check that the working environment is healthy and standards of hygiene are adequate. The programme is dealing with very few cases at present, since lack of publicity means that working women are unaware of its existence. On top of this, records of workplace inspections carried out at the request of workers are not disaggregated by gender and age, which makes it difficult to carry out a thorough analysis of the facts reported by inspectors.

Another project which is at the preliminary stage is the project to reorganize and promote services for disabled persons, which is receiving financial support from the Spanish International Cooperation Agency and the International Labour Organization. The project covers, inter alia, production, training and job placement of disabled women in rural areas. It is to be carried out by the Employment Department of the Ministry of Labour and Social Welfare, in cooperation with the Office of the First Lady, the National Women's Office and groups representing business, the media, the disabled and workers, among others.

The Ministry of Agricultural Development has a rural women's programme, which runs activities to guarantee a living for rural families and reduce their migration to urban areas.

The Ministry of Health is implementing a women, health and development programme, which encourages an interdisciplinary, multisectoral approach to women's health issues. The primary aim of the body responsible for the programme, the technical secretariat of the Division for the Promotion of Health and Health Care, is the harmonious development of the individuals who form the family unit, and also of the community and society in general, so that health workers and all citizens in Panama may enjoy a better quality of life. Its ultimate goal is the all-round health of the family, to be achieved by promoting, coordinating and assessing the contribution of the various health-monitoring and health-care services that in one way or another serve the family group.

The Women, Health and Development secretariat is focusing its efforts on promoting the all-round health of children, adolescents and women by implementing the following projects at the national level:

Care of children: the large numbers of children in Panama make it urgently necessary that health, education and protection services be improved and made more accessible. Action is being taken to:

- Promote comprehensive care for children through prevention, treatment and after-care;

- Help prevent abuse and the various forms of violence;

- Ensure early diagnosis and proper treatment of the most common illnesses;

- Promote health education in community child-care centres and in nursery schools and pre-school and school facilities on the care, growth and healthy development of Panamanian children;

- Promote food and nutrition education, with particular emphasis on children, in order to improve their nutritional status;

- Promote the administration of micronutrients, particularly to children;

- Encourage programmes such as salt iodization and the use of fluoride mouthwashes in schools to prevent endemic goitre and tooth decay in children.

Care of adolescents: Panama's population is predominantly young in both rural and urban areas. The primary aims of the Ministry of Health with regard to care for this age group are: to encourage young leaders to act as advocates for both physical and mental health; to involve young people and their parents in action and services aimed at meeting the needs of adolescents; to promote training for health workers dealing with the needs of adolescents and raise awareness of the need to focus on preventive action to allow adolescents to reach their full potential; and to develop comprehensive adolescent health programmes, in cooperation with the Panamanian Family Planning Association (APLAFA), by encouraging the formation of adolescent groups in health regions. The Ministry is also addressing issues of adolescent sexual and reproductive health.

Care of adult women: Women and girls account for just over half the population of Panama, but it is only in the past decade that Panamanian women have gradually started to enter the workforce, thereby demonstrating their ability to take on new roles and responsibilities. Even so, this is true only for a small percentage of women. The vast majority of Panamanian women have yet to take control of their lives and remain disadvantaged and undervalued, a situation which is reflected mainly in their health care.

To tackle this situation, the Ministry of Health has set itself the goals of:

- Increasing women's involvement in efforts to improve their health and quality of life, the benefits of which will be felt in their family group and in their community;

- Carrying out, encouraging and supporting studies and research into the real situation of Panamanian women;

- Educating and raising awareness among health workers and the community at large about the situation of women;

- Developing self-management projects at the community level with young and adult women in disadvantaged areas, in order to equip them with certain tools and inputs which will allow them to achieve a satisfactory quality of life for themselves and their families.

At present, the Ministry is engaged in the task of promoting women's all-round health and implementing an institutional plan of care, prevention of violence and promotion of healthy relationships, which is used in dealing with domestic violence. The priorities of the ministerial commission appointed to pursue this task are the training of health workers and social actors, the cross-sectoral promotion of the plan and the implementation of Act No. 27 on domestic violence and child abuse. As part of this work, a form has been designed for conducting investigations when domestic violence or child abuse is suspected, to ensure that an accurate record is kept of the cases dealt with and that these are reported to the authorities as required by the Act, and to ensure that victims receive follow-up assistance.

Action is also being taken to give organized community groups involved in women's issues a more active role by setting up a community self-help network and a support group for women victims of violence.

Programmes aimed specifically at women are in place in four provinces of the country. In the towns of Penonomé and Aguadulce (Coclé), they are being implemented in the areas of health, education and training. In the town of Guararé (Los Santos), there is a programme which provides financial assistance to single mothers for the construction of housing, while in the town of Colón (Colón), there is a programme to assist battered women.

In Panama province, the town of San Miguelito has projects for the social and economic development of women, training and support in non-traditional jobs, a food bank and a battered women's shelter. There are also programmes to support self-management by women in various communities.

Recently, the Coordinating Centre for the Prevention of Natural Disasters in Central America, a member of the Central American Integration System (SICA), has been carrying out preliminary studies for a programme to mainstream a gender perspective in plans and projects. The aim of the programme is to enable men and women to participate equitably in natural disaster prevention and mitigation, and it is receiving support from the National Civil Defence System of the Ministry of the Interior and Justice.

The Small Business Department of the Ministry of Commerce and Industry, recognizing women's importance for the country's social and economic development, included a project on women in small business development among its investment projects for 1995-1996. The project was executed in the district of San Miguelito as a joint project with the Corporation for Micro- and Small Businesses (COMISEIN) in the urban and suburban areas of Panama. It was designed to train 35 women in business administration and is currently at the financing stage (10 businesses have been financed). In 1996, the project was to train 60 women in the Juan Díaz community (corregimiento), in a joint project with the Panamanian Organization for Self-Management and Community Development (OPADEC); the 60 women have now been trained. The second phase involves the granting of loans to make the project economically viable. For the current period, funding amounts to US$ 41,250.

The project for financing young entrepreneurs is aimed at young people between the ages of 18 and 29 and was implemented in 1995 and 1996 in San

Miguelito by COMISEIN. Many young women who have already started their own businesses are involved in this project. For the current period, funding amounts to US$ 41,250.

The nationwide small-scale funding project provides training and advice for businessmen and business women working in micro- and small businesses. It includes a funding phase carried out with non-governmental organizations, in which women are actively involved. Funding for the current period amounts to US$ 367,500.

B. Institutions and authorities established since the ratification of the Convention

Within the framework of the agreement between the Government of Panama and the European Union entitled "Promotion of equal opportunities in Panama" (PAN/B7-3010/95/100), an intensive programme will be launched with a view to achieving equality between men and women. In order to progress towards this goal, the Government has established the National Women's Council and the National Women's Office, both of which are attached to the Ministry of Labour and Social Welfare; their objectives are described in the section of this report relating to article 1.

In mid-1996, the National Women's Office organized a series of meetings in order to establish relations and coordinate activities with government institutions with a view to exchanging experiences and information, carrying out action to promote the advancement of women and putting into effect the mechanisms for follow-up and evaluation of the implementation of the Women and Development Action Plan.

At the present time, several government offices have programmes of one kind or another concerned with women, even though these programmes have not been established by law. These offices are the National Vocational Training Institute, the Ministry of Planning and Economic Policy, the Ministry of Agricultural Development (programme for rural women), the Institute for Human Resources Training and Development, the Institute of Labour Studies (Ministry of Labour and Social Welfare training programme for working women), the National Institute of Natural Resources, the Legislative Assembly (commission on women, children and the family) and the Ministry of Health (programme on women, health and development and health promotion programme).

In 1995, an Institute for Women was established at the University of Panama; its main objective is to promote action to change the status of women in Panama through studies which identify their problems from a gender perspective.

In the same year, an Office of Women's Affairs was established in the Ministry of Education to promote equal opportunities through the national education system. A project is being carried out currently in this Ministry, under the responsibility of the curriculum board, to revise school textbooks in order to eliminate sex stereotyping and sexist language.

Following the recent adoption of the Family Code, bodies have been established within the judiciary through which recourse may be had to the family

jurisdiction and the special children's jurisdiction exercised by the Supreme Court of Justice, the superior family courts, the superior juvenile courts, the district family courts, district juvenile courts and municipal family courts, with a view to ensuring that the principles laid down in the laws in force on family relations are applied on an equal basis for all family members and that minors are protected.

ARTICLE 4: Temporary special measures

With regard to temporary special measures carried out and to be carried out by Panama in order to accelerate genuine equality between men and women, there is the Women and Development Action Plan, 1996-2001 which provides for a range of activities to achieve equal opportunities in all spheres for men and women.

At a public meeting in November 1993, the Women and Development Forum proposed that all candidates for the Presidency should sign and recognize the proposals contained in the Women and Development Action Plan. With the change of Government in September 1994, Mr. Ernesto Pérez Balladares formed a women's commission which, among the Bambito agreements, secured the Government's renewal of the commitments made to the women's movement (see annex III).

On that basis, the coordinating organizations of the women's movement reached an agreement with the European Union which, after an extensive process of consultation organized in various stages in 1995, resulted in the adoption of the agreement between Panama and the European Union entitled "Promotion of equal opportunities in Panama" (PAN/B7-3010/95/100). The agreement was signed on 11 July 1996 between the Panamanian Government and the European Union. It is important to note that the agreement is the largest project on gender relations which the European Union has undertaken to date with any country.

The Women and Development Action Plan operates in the following areas of activity:

1. Legal and social equality
2. Social equality
3. Political power and participation
4. Economic development, production and labour
5. Health
6. Environment
7. Education and culture
8. Family and housing
9. Media
10. Violence

Areas of special interest:

1. Poverty

2. Rural women

3. Institution-building.

The general and specific objectives of these areas of activity are reflected in the operationalization of the Women and Development Action Plan as seen in the annexes to this report.

In relation to article 4, paragraph 2, of the Convention, on the adoption of special measures aimed at protecting maternity, the 1995 programme of work for the administrative units of the Labour Department of the Ministry of Labour and Social Welfare includes a programme of assistance for working women whose main activities are to monitor compliance with maternity laws and to maintain statistics on cases referring to those units. However, the latter activity of maintaining statistics on employers' violations of maternity laws in the workplace in dealing with pregnant women workers is not being carried out, with the result that, at the time of writing this report, the statistics needed to provide a picture of this problem, which affects a large number of Panamanian women workers were not available; this means that the programme is not being fully implemented.

ARTICLE 5: Measures to modify the socio-cultural patterns of conduct of men and women

Under the auspices of UNICEF and UNIFEM, an analysis was carried out of sex roles and stereotypes in school textbooks in Panama, which was published in August 1990. Many recommendations emanated from this study. Of the general recommendations to the Ministry of Education, teachers and parents, the following are significant:

- A review of school textbooks, their publication and their presentation should be carried out by Panamanian educators;

- The teaching of respect for human rights and, especially, the rights of women, boys, girls and indigenous people should be promoted through texts, designs and characterizations;

- Reading books should provide the reader with an equal number of female and male illustrations;

- Books should promote equality of action in the illustrations of boys and girls engaged in their various activities;

- Characters and illustrations should reflect the diversity of activities actually carried out by women outside the home;

- The contributions made by various women in the fields of science, education and public life in Panama should be publicized;

- Emotions and feelings of greater camaraderie, sensitivity and fellowship should be depicted in male characters;

- Home environments in which domestic tasks are shared by family members without distinction as to sex should be depicted;

- Discrimination in children's games, whereby girls are given dolls and boys are given balls and toy cars, should be avoided. Games can be shared;

- The participation of women in sports should be stressed, since in some centres there is an insistence on limiting sports to men;

- Equal standards should be applied. Both men and women should be judged on their merits and human qualities, not in terms of the sex they represent.

In November 1990, a manual of recommendations for the elimination of stereotypes in school textbooks and in educational materials in general was published under the auspices of UNICEF and UNIFEM.

These publications have not been properly disseminated, and their recommendations have not been put into effect.

One major step forward was the establishment of an Office of Women's Affairs in the Ministry of Education, under Decree No. 233 of 1 September 1995. Equally significant, in the educational sphere, was the establishment of the Institute for Women at the University of Panama on 26 July 1995.

The Office of Women's Affairs of the Ministry of Education, in association with other bodies, will organize a seminar entitled "Educating for equality" at the Juan Demóstenes Arosemena Teacher Training College, the main training college for primary school teachers in Panama. This seminar will take up topics such as the socialization process, sexism in the family, sexism in language, sexism in school and sexism in school textbooks, and how to tackle them.

Another seminar will be organized subsequently, in association with the Institute for Women of the University of Panama and the Office of Women's Affairs of the Ministry of Education, at the School of Media Studies of the University of Panama.

Furthermore, postgraduate workshops and classes on gender issues are to be held at the University of Panama in the coming years with the goal of helping to modify socio-cultural patterns which discriminate against women and, at the same time, ensuring that a cross-cutting curriculum on these issues is introduced in all the disciplines taught at the University of Panama, since the bulk of Panama's teachers are educated there.

In Panama, any analysis of the mass media must be carried out on the basis of the provisions of the Constitution, article 85 of which states:

"Article 85. The communications media are instruments of information, education, recreation and dissemination of culture and science. When they are used for publicity or advertising, such publicity and advertising must not be contrary to the health, morals, education and cultural development of society or to the national conscience. Their operation shall be regulated by law".

In addition to these constitutional provisions, there are a number of decrees and regulations dating back to 1950 which attempted, without much success, to regulate the conduct of the mass media and related activities: press, television, public relations, public events and publicity.

Since the mass media are of fundamental importance for the process of transmitting ideas and bearing in mind the technological revolution, it is a matter of the utmost urgency that their regulation be updated and modernized.

Statistics in Panama indicate that in 1990, 88 per cent of households had a radio and 85 per cent had a television. Some 47 per cent of adults in Panama read a newspaper regularly and 32 per cent of the adult population read books.

It is important to note that in national television programming, soap operas rank first, totalling an average of 1,280 programme hours per year. It is a well-known fact that soap operas simply perpetuate traditional sex stereotypes.

Women are presented from two angles: either as the housewife or married woman whose main concern is her family's happiness, or as the single woman, reduced to a sex object, who adopts poses and attitudes designed to make her physically attractive.

In short, the media reaffirm the model of social division of the sexes and reinforce the values of self-denial, suffering and sacrifice of one's own interests for the greater happiness of others. They create new needs which offer a vicarious feeling of change and participation in modern life, but which maintain the status quo and the traditional position of women.

Over the past decade, advances in information technology have facilitated the development of a global network of inter-media communications which transcends national borders and has a significant influence on State policy, attitudes, values, cultural patterns and the daily lives of children, young people and adults.

The advisable course would be to strengthen the role of women by improving their theoretical knowledge, training them in techniques of message analysis and establishing networks of women communicators to combat the negative images of women projected both locally and internationally.

With regard to motherhood, generally speaking it continues to be a women's problem which is not shared by men. It is the woman who takes responsibility for conception and for the subsequent upbringing of children.

There have been attempts to incorporate the topic of sexuality into the formal curriculum for elementary education in order to change some of these cultural patterns, but they have not been followed through because of opposition from some sectors, including the Church.

This deficiency is associated with the prolonged absence of a strategic national education plan, which the Government hopes will be remedied with the adoption of the new Education Act of 1995.

ARTICLE 6: Prostitution of women in Panama

Prostitution is undoubtedly one of the least subtle forms of exploitation of women. There is no doubt that there is a close relationship between the sexual and economic exploitation of women; problems such as poverty, the cultural devaluation of women and sexual abuse are factors which make them more vulnerable.

Prostitutes are also one of the groups most likely to be victimized, not only through forced sexual exploitation but also because they are frequently beaten, mutilated, raped and murdered.

A prostitute who has been attacked has few possibilities of obtaining legal protection. Panamanian law upholds the concepts of honour, virginity, good reputation and public morality and discriminates on that basis; this automatically means that the culprit is not sentenced.

For example, since the characterization of rape as a sexual offence presupposes the chastity and virtue of the victim, a prostitute's complaint of rape would automatically fail.

While prostitutes are almost always arrested, their clients are not.

Generally speaking, prostitutes have a concealed history of violence, discrimination and rejection; almost always precocious, they have earned their family's disapproval because of their "immoral" conduct and this leads to a cycle of violence against them. It is said that prostitutes suffer violence from three sources: the police who arrest and extort from them, the pimps who exploit them and the clients who use them.

In most Latin American penal law systems, prostitution is not considered a crime. However, in all these systems, procurement and the incitement of minors to prostitution are penalized as aggravating circumstances.

To suppress the exploitation of prostitution and the traffic in women and girls, Panama has recourse to such domestic legislation as the Penal, Administrative, Health and Judicial Codes and some resolutions.

For example, in Title VI "Crimes against modesty and sexual freedom" of the Penal Code, chapter 3 lists the crimes of corruption, procurement, pimping and the white slave trade.

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Prostitution is not classified as a crime in Panama; instead it is the subject of special regulations under which clandestine prostitution is classified as a chargeable offence.

Statistics reveal a marked imbalance in dealing with women and girl prostitutes and the prostitution network or system. In the official recording of data on prostitution, breaches of the law and other related aspects, the emphasis is on women, not the system, indicating to society that women alone are responsible for "sexual corruption".

An analysis of the administration of justice in 1992, made by the Department of Statistics and Census of the Office of the Comptroller General of the Republic, revealed that the rate of prosecutions and convictions for such crimes is very low.

The State has also established laws and decrees under which measures to prevent and repress prostitution are taken in the area of public morality and public health. These include penalizing wantonness and licentiousness and are taking steps to prevent and treat venereal disease. As a result, even though prostitution is not classified as a crime, it is considered an administrative misdemeanour and carries some type of penalty.

In book 3 ("Police"), chapter VI ("Charity, morality and good conduct"), paragraph 13 ("Public decency"), of the Administrative Code of Panama, articles 1289, 1290, 1293, 1294, 1295 and 1296 establish misdemeanours and penalties related to prostitution or the exploitation of women.

Similarly, article 2, of Act No. 112 of 30 December 1974 establishes that the administrative authorities are competent to prosecute acts of promotion and facilitation of prostitution and corruption, provided that the accused has previous convictions for such acts, and to punish them with detention of between 10 days and one year.

The Health Code attempts to suppress or regulate prostitution from the standpoint of the legal protection of health; for instance, articles 146 and 147 are aimed at preventing the spread of venereal diseases.

The Judicial Code, in article 1978 of book 3, on penal procedure, establishes that the crimes of rape, abduction, statutory rape, corruption of minors and offences against modesty are subject to prosecution, but that proceedings will be instituted only if a complaint is brought by the victim.

The Ministry of the Interior and Justice, through the Department of Migration and Naturalization, has established norms for the control and operation of sex workers, such as resolution No. 24,627 of 22 July 1992, resolution No. 27,262 of 15 December 1992 and resolution No. 7,754 of 29 May 1995.

In cases of prostitution, the weight of the law falls only on prostitutes, who are subjected to all kinds of violence and discrimination. No complaints are lodged against pimps, procurers and corruptors of minors, so their actions go unpunished.

Statistics on these crimes are conspicuously lacking; moreover, the few complaints received are rarely followed up, and when they are, only a tiny proportion of the culprits are convicted.

The mass media should take on an educational role and help to influence the moral values of society; they should avoid the glorification of violence and the pornographic representation of women as sex objects, and instead try to boost women's self-esteem.

ARTICLE 7: Women's participation in political and public life in Panama

Women in Panama have the political rights laid down in chapter 1 ("Citizenship") of Title IV ("Political Rights") of the 1972 Constitution of the Republic, as amended in 1978 and 1983, article 125 of which clearly states: "All Panamanians over 18 years of age are citizens of the Republic, without distinction as to sex".

Moreover, chapter 2 ("Suffrage") of Title IV states that suffrage is a right and a duty of all citizens. This year, Panama is celebrating the fiftieth anniversary of women's suffrage which, thanks to the historic demands of Panamanian women, was attained on 1 March 1946. This event was a tremendous step forward for the women of Panama, enabling them to consolidate their rights and play a greater role in society.

Over the past decade, women's participation in the legislative branch has risen from 5.9 per cent in 1984 (4 women to 63 men) to 7.46 per cent in the 1989 elections (5 women to 62 men) and 8.3 per cent in the 1994 elections (6 women to 66 men).

Their participation in the executive branch was also extremely limited between 1980 and 1995. The proportion of women ministers and deputy ministers has actually dropped from 16.6 per cent in 1980 to 8.3 per cent today. Among the heads of autonomous and semi-autonomous entities, the percentage of women has fluctuated between 15 per cent in 1980, 14.2 per cent in 1990 and the current 16.6 per cent. In 1985, the percentage of women governors was 40 per cent. In the diplomatic sector, the proportion of women ambassadors and consuls remains insignificant: 13 per cent in 1990 and 20.4 per cent in 1994. It should be said, however, that during the decade 1980-1990 women were well represented at middle management level in the executive branch.

In the judiciary, women now account for 22 per cent of judges and 37 per cent of public defenders. In 1991 and 1992, the number of female judges rose to one quarter of the total. Exceptionally, between 1985 and 1989, two courts had a woman President: the Supreme Court of Justice and the Electoral Tribunal.

In the period 1993-1994, the National Forum of Women in Political Parties was established. The Forum, which is made up of women holding political office (as members of the Legislative Assembly or as community (corregimiento) representatives) and women members of political parties, works to give Panamanian women a bigger share of political power.

There is extensive participation by women at the grass-roots level of political parties, but little at the executive level.

Women's participation in trade unions is very low, and in positions of power it is very rare or virtually non-existent.

In the executive branch, only two Ministers of State are women and there are no women deputy ministers. In the Legislative Assembly, 92 per cent of members are men, although the presidency of the Assembly has been held by a woman. In the judiciary, two of the nine Supreme Court judges are women and both the Superior Family Court and the Superior Juvenile Court are made up of two women judges. There is also a woman Solicitor General of the Administration.

Similarly, women's participation in local government is comparatively low. Of the mayors and community representatives elected in 1994, 12 per cent and 11 per cent respectively were women.

Women's access to positions of power and political decision-making in Panama thus seems to have reached a glass ceiling that has not been breached in two decades. The problem lies not in legal or formal constraints but in cultural attitudes.

With regard to the exercise of public functions, the Department of Local Government is responsible for carrying out training activities for all local government officials and authorities, of both sexes, as well as providing technical, legal and administrative advice. The Department, with support from other government bodies, has held a number of seminars and training courses for mayors, town councillors, governors, town clerks, municipal treasurers and community representatives of both sexes.

With regard to the right to form associations, article 39 of the Constitution permits the formation of corporations, associations and foundations that are not contrary to public morality or the legal order and states that they may obtain recognition as juridical persons. Recognition is not granted to associations whose ideologies are based on the alleged superiority of any race or ethnic group, or which defend or promote racial discrimination. The capacity, recognition and regulation of companies and other juridical persons is determined by Panamanian law.

Over the past few years, the Ministry of the Interior and Justice has recognized some 30 non-profit associations working for women's development and has granted them the corresponding juridical personality.

Statistical information from the Ministry of Commerce and Industry, the Ministry of the Interior and Justice and the judiciary which gives a clearer picture of women's participation in public life and in the economic development of our country is given in annex IV.

ARTICLE 8: Participation by Panamanian women in the diplomatic service and in international meetings and conferences

Information on the number of Panamanian women participating in international meetings and conferences, could not be obtained, since that would have involved examining the credentials for every meeting and conference in which the Government of Panama participated between 1986 and 1996. Unfortunately, we lack the human resources and systematized information to do this.

The current figures for Panamanian women in the foreign service are as follows:

Diplomatic service	112
Consular service	65
Heads of diplomatic missions (embassies)	5
International organizations	21
Heads of permanent missions	3
Total	206

ARTICLE 9: Right to nationality

According to article 9 of the Convention, the right to nationality imposes an obligation on States to grant women equal rights with men to acquire, change or retain their nationality or to transmit it to their spouse or children.

The right to acquire, change or retain one's nationality is duly provided for in the constitutional law of Panama.

A woman can marry an alien without that affecting her nationality, and her children have the option of acquiring her nationality by birth, an option which they have to confirm on reaching the age of majority.

In that regard, the provisions of the Constitution are as follows:

"Article 8. Panamanian nationality is acquired by birth, naturalization or constitutional provision.

Article 9. The following are Panamanian by birth:

1. Persons born in the national territory.

2. Persons born outside the territory of the Republic, whose father or mother is Panamanian by birth, provided that they establish their domicile in the national territory.

3. Persons born outside the territory of the Republic whose father or mother is Panamanian by naturalization, provided that they establish their domicile in the Republic of Panama and state their desire to elect Panamanian nationality no later than one year after reaching the age of majority."

The procedures for acquiring Panamanian nationality by naturalization are laid down in article 10 of the Constitution, which states:

"Article 10. The following may request Panamanian nationality by naturalization:

1. Aliens with five years of continuous residence in the territory of the Republic, if, after reaching the age of majority, they state their wish to become naturalized, expressly renounce their nationality of origin or any other nationality and prove that they have a command of the Spanish language and a basic knowledge of Panama's geography, history and political organization.

2. Aliens with three years of continuous residence in the territory of the Republic who have children born therein to a Panamanian father or mother or who have a spouse of Panamanian nationality, provided that they make the necessary statement and submit the necessary proof.

3. Nationals by birth of Spain or a Latin American country, provided that they fulfil the same requirements as their country of origin imposes for the naturalization of Panamanians.

Article 11. Children born abroad who are adopted by Panamanian nationals before their seventh birthday become Panamanians without requiring naturalization papers, provided that they establish their domicile in the Republic of Panama and state their desire to elect Panamanian nationality no later than one year after reaching the age of majority.

Article 12. Naturalization shall be regulated by law. The State may deny a request for naturalization papers for reasons of morality, security, health or physical or mental impairment.

Article 15. Both nationals and aliens who are in the territory of the Republic shall be subject to the Constitution and laws of Panama.

Article 16. Naturalized Panamanians are not required to take up arms against their country of origin."

ARTICLE 10: Situation of women in the educational system

A. Opportunities for access and retention rates

In 1990, the overall coverage of the educational system was good. In particular, date on the incorporation of females into formal education showed that 94 per cent of girls between the ages of six and nine were attending the

basic level of the system; 79 per cent of girls between the ages of 10 and 14 were attending school; and 37 per cent of girls between 15 and 19 were in secondary education.

The figures indicated that, except in the 15 to 19 age group, or higher secondary level, only a small percentage of girls were not incorporated into the education system.

However, an analysis of attendance by 15 to 19-year-old girls, disaggregated by demographic area of origin, showed that the situation of adolescent girls from rural areas was particularly critical, in that barely 8.6 per cent of them were attending school, as indicated in table 1.

Table 1

School attendance by girls at primary and secondary level, by age group and geographical area, 1990

	School-age population		Urban areas		Rural areas	
Age group	Urban areas	Rural areas	Enrolment	Rate	Enrolment	Rate
6-9	50 574	56 574	47 993	94.7	52 765	93.2
10-14	63 764	62 183	55 122	86.4	44 084	70.8
15-19	70 646	53 085	40 504	57.3	4 582	8.6

Source: Office of the Comptroller General of the Republic; National Population and Housing Census, 1990.

The retention rate for girls at the primary level is high, in that 98 per cent of them complete this level (see table 3).

Girls tend to fail or drop out of school less frequently than boys, as indicated by table 2.

Table 2

Numbers of students passing, failing or dropping out, by level of education and sex, 1985, 1990 and 1995

Level	1985				1990				1995			
	Boys	%	Girls	%	Boys	%	Girls	%	Boys	%	Girls	%
Primary												
Passing	150 665	51	144 422	49	157 070	51	151 224	49	168 428	51	162 159	4
Failing	22 460	60	15 199	40	21 878	60	14 546	40	16 141	60	10 722	4
Dropping out	4 468	60	2 921	40	3 818	61	2 465	39	2 814	64	1 613	3
Secondary												
Passing)												
Failing)	Not disaggregated by sex											
Dropping out	4 620	53	4 064	47	6 602	69	2 918	31	9 202	63	5 401	3

Table 3

Summary of annual indicators of internal efficiency, by geographical area and primary school grade, 1990

Grade	Enrolment		Retention rate						Drop-out rate	
			Total		Pass rate		Failure rate			
	Urban areas	Rural areas	Urban areas	Rural Areas	Urban areas	Rural areas	Urban areas	Rural areas	Urban areas	Rural areas
TOTAL	100.0	100.0	97.9	98.6	92.5	86.5	5.4	12.1	2.1	1.4
First	100.0	100.0	96.5	96.7	87.5	76.5	9.0	20.2	3.5	3.3
Second	100.0	100.0	97.9	98.5	89.5	82.3	8.4	16.2	2.1	1.5
Third	100.0	100.0	97.9	98.8	92.1	86.0	5.8	12.8	2.1	1.2
Fourth	100.0	100.0	98.3	99.7	93.7	90.5	4.6	9.2	1.7	0.3
Fifth	100.0	100.0	98.6	99.3	95.3	93.7	3.3	5.6	1.4	0.7
Sixth	100.0	100.0	98.5	99.3	97.7	97.5	0.8	1.8	1.5	0.7

Source: Statistical Office of the Ministry of Education.

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II. Course options of girls entering the second cycle of secondary education

The course options offered by the Ministry of Education include:

1. Academic secondary education:

   - Science and arts baccalaureate
   - Teacher training

2. Vocational and technical education:

   - Agricultural baccalaureate
   - Commercial baccalaureate
   - Industrial baccalaureate
   - Domestic science and dressmaking baccalaureate
   - Beauty technician (private schools)

Table 4

Number of girls graduating from public secondary education, by course, 1991

Course	Total students	Number of girls	Percentage
Science and arts	5 526	2 981	53.94
Teacher training	571	353	61.82
Agricultural baccalaureate	212	22	10.38
Commercial baccalaureate	3 973	742	18.68
Domestic science and dressmaking baccalaureate	189	100	52.91
Industrial baccalaureate	2 668	152	5.73

Source: Statistical Office of the Ministry of Education.

An analysis of table 4 shows a high proportion of girls in teacher training (61.82 per cent), followed by science and arts (53.94 per cent) and domestic science and dressmaking (52.91 per cent).

In contrast, only 5.73 per cent of students taking the industrial baccalaureate are girls.

Table 5

Number of girls graduating from private secondary education, by course, 1991

Course	Total students	Number of girls	Percentage
Science and arts	1 845	1 061	7.51
Agricultural baccalaureate	76	2	2.63
Commercial baccalaureate	1 850	1 354	3.19
Domestic science and dressmaking baccalaureate	170	161	94.71
Industrial baccalaureate	871	7	0.8
Beauty technician	140	132	94.29

An analysis of table 5 shows a high proportion of girls in domestic science and dressmaking (94.71 per cent) and the beauty technician course (94.29 per cent).

Thus, in both public and private schools there is a tendency for girls to opt for traditional courses which assign them to roles offering little social recognition and poor pay, thereby perpetuating their gender subordination.

A specific example of this is the large numbers of girls choosing teaching as a career: as already indicated, 62 per cent of students at the Juan Demósthenes Arosemena Teacher Training College are women.

However, this high proportion of women students is not reflected in the number of women holding senior academic posts or posts at the decision-making level.

Table 6

Number of teachers by level and sex: initial, primary and secondary, 1995, 1990 and 1985

Level	Year											
	1985				1990				1995			
	M	%	F	%	M	%	F	%	M	%	F	%
Initial formal	12	1	1 109	99	14	1	1 399	99	17	1	1 995	99
Primary	2 873	22	10 486	78	3 169	23	10 336	77	3 519	23	11 479	77
Secondary	4 526	47	5 155	53	4 470	46	5 284	54	5 264	46	6 223	54

Source: Statistical Office of the Ministry of Education.

Table 7

Head teachers by sex, level of education and course, 1996

Level of education	Head teachers				
	M	%	F	%	Total
Initial					
formal	-	-	-	-	-
Non-formal	3	1	245	99	248
Primary	1 605	50	1 605	50	3 210
Secondary					
Academic	66	64	36	36	102
Vocational and technical	87	79	23	21	110

Source: Head teachers at the initial, primary and secondary levels, Ministry of Education, 1996.

As table 6 indicates, while in 1990, 99 per cent of teaching staff at the initial level were women, that figure fell to 77 per cent at the primary level and 54 per cent at the secondary level.

Again, while a total of 99 per cent of head teachers at the initial level were women, this fell to 50 per cent at the primary level and 28 per cent at the secondary level (table 7).

B. Illiteracy

According to the 1990 census, 10.7 per cent of the population aged 10 years and over are illiterate (189,184 persons). Of this total, 10.3 per cent (92,100 persons) are male and 11.1 per cent (97,084 persons) are female.

This information takes on a dramatic tinge when the data are broken down by province. For example, while 4.3 per cent of the population of Panamá province are illiterate and 5.7 per cent of the population of Colón, Kuna Yala has an illiteracy rate of 40 per cent, Darién 30.4 per cent, Bocas del Toro 30.1 per cent and Veraguas 21.3 per cent.

In all provinces (except Los Santos and Herrera), most of the illiterate population are women and the gender gap is sometimes very large. This is true of Kuna Yala, where there are almost two illiterate women for every illiterate man; Darién, where 26.9 per cent of the male and 35 per cent of the female population are illiterate; and Bocas del Toro, where the figures are 26 per cent and 34.7 per cent respectively (see table 8).

Table 8

Illiteracy among the population aged 10 years and over, by province and sex, 1990

Province and sex	Number of illiterates	Percentage
TOTAL	189 184	10.7
Men	92 100	10.3
Women	97 084	11.1
BOCAS DEL TORO	18 682	30.1
Men	8 615	26.0
Women	10 067	34.7
COCLE	12 459	9.7
Men	6 374	9.4
Women	6 095	10.0
COLON	7 133	5.7
Men	3 607	5.7
Women	3 526	5.8
CHIRIQUI	43 649	15.9
Men	20 913	14.9
Women	22 736	16.9
DARIEN	9 021	30.4
Men	4 553	26.9
Women	4 468	35.0
HERRERA	10 242	14.0
Men	5 655	15.2
Women	4 587	12.8
LOS SANTOS	9 207	14.8
Men	5 316	16.0
Women	3 893	12.9
PANAMA	36 481	4.3
Men	17 055	4.2
Women	19 426	4.5
VERAGUAS	32 731	21.9
Men	16 964	21.0
Women	15 767	22.9
SAN BLAS	9 567	40.0
Men	3 048	27.5
Women	6 519	50.7

It is no coincidence that the provinces with the highest illiteracy rates are those with the largest percentage of indigenous people, for it is calculated that some 45 per cent of the indigenous population are illiterate, and most of this percentage corresponds to women (see table 9).

It is thus clear that illiteracy in Panama is concentrated primarily in the indigenous population and, within it, in the female population.

Since 1992, the Ministry of Education had had a Women, Education and Development Commission, which in 1995 was transformed into an Office of Women's Affairs (Presidential Decree No. 233 of 1 September 1995).

Its impact on the Ministry can be seen from the number of women involved in the programmes being carried out by the Ministry's Adult Education Unit (see table 10).

Table 9

Illiteracy by ethnic group and sex

Ethnic group	Percentage illiteracy	Male	Female
Kuna	32.2	22.5	44
Guaymí	49.5	41.9	55.8
Teribe	26.7	25.2	28.5
Bokota	51.4	41.7	61.4
Emberá	42.6	33.2	52.6
Waunana	43.6	34.7	53.2

C.F.R.P., 1990 Census.

Table 10

Adult education enrolment, by sex and type of course, 1990 and 1995

	Year									
	1990					1995				
Type of course	Total	M	%	F	%	Total	M	%	F	%
Completion of primary education	4 569	2 276	50	2 293	50	6 063	3 121	51	2 942	49
Literacy	2 924	1 526	52	1 398	48	2 265	1 047	46	1 218	54
Popular culture	3 781	1 071	28	2 710	72	4 054	792	20	3 262	80

Source: Adult Education Department of the Ministry of Education.

Popular culture includes short courses in vocational training: women usually choose baking, sewing (molas) and dressmaking, and cooking.

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C. Perpetuation of sex stereotyping in teaching materials

A very recent study of the visual aids (slides) used by teachers in five primary and secondary schools revealed that, in 80 per cent of cases, male figures were presented as symbolizing mankind in general, i.e. men and women (the skeletal system, the nervous system, etc., were illustrated by drawings of men).

Another recent study by UNICEF and UNIFEM on sex stereotyping in school textbooks revealed the traditional view of women's role which persists in Panamanian society and which perpetuates the marginalization of women and discrimination against them. Selected indicators included the frequency, by sex, with which figures and names of boys and girls appeared in official schoolbooks, the family members represented, and the jobs and personality traits emphasized.

The results showed that women do appear in books on religion, but very rarely in books on social studies, science, mathematics or agriculture or in reading books. Women's contribution is not reflected in either history or science books. Of a total of 591 illustrations, 150 were of females and 441 of males.

One third of the female illustrations depicted housewives (55), followed by schoolteachers (20).

Men were depicted primarily as strong and very serious and intelligent; in contrast, women were depicted as submissive, smiling and engaging in household tasks.

D. Women and university

Panamanian women account for the larger part of university enrolment and graduation figures.

The following findings are based on figures provided by the University of Panama, which accounts for 80 per cent of total university enrolment, and by the Technological University, since it offers the technological and engineering courses which women shun for reasons of gender.

As table 11 shows, women account for the vast majority of university enrolments (67 per cent in 1995). The most popular courses are business administration and accounting, public administration, education sciences (83 per cent female), media studies, nursing (78 per cent female) and the humanities (see table 15).

In contrast, women account for only 25 per cent of enrolments at the Technological University.

Table 12 shows, for example, that 71 per cent of students graduating from the University of Panama in 1995 were women.

Table 11

Enrolment in the University of Panama and the Technological University, by sex, 1985, 1990 and 1994-1995

University	Year											
	1985				1990				1994-1995			
	Total	M		F	Total	M		F	Total	M		F
Panama	40 640	14 238	35%	26 402 65%	38 468	13 138	34%	25 330 66%	55 119	18 304	33%	36 815 67%
Technological	-	-		-	8 541	5 979	70%	2 562 30%	6 313	4 735	75%	1 579 25%

Table 12

Students graduating from the University of Panama, by sex, 1985, 1990 and 1995

Year														
1985					1990				1995					
Total	M	%	F	%	Total	M	%	F	%	Total	M	%	F	%
2 490	881	35	1 609	65	2 438	671	28	1 767	72	3 334	955	29	2 379	71

However, as in the teaching profession, this very high proportion of female university graduates is not reflected in the composition of the teaching staff of the universities surveyed or in their administrative hierarchy.

As can be seen from tables 13 and 14, in both these universities most lecturers and senior administrators are men.

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Table 13

Teaching staff of the University of Panama and the Technological University, by sex, 1990 and 1994

	Year					
	1990			1994		
University	Total	M	F	Total	M	F
Panama	2 104	1 116	988	-	-	-
		53%	47%			
Technological		-	-	648	442	206
					68%	32%

Table 14

Senior administrators of the University of Panama and the Technological University, by sex, 1996

	Post					
	Chancellor			Vice-Chancellor		
University	Total	M	F	Total	M	F
Panama	1	1	-	5	4	1
					80%	20%
Technological	1	1	-	2	2	-
					100%	

Table 15

Enrolment at the University of Panama, by sex, centre, faculty and location

First semester, academic years 1991 to 1995

Centre, faculty and location	1993			1994			1995 (P)		
	Total	Men	Women	Total	Men	Women	Total	Men	Women
TOTAL	49 963	17 099	32 864	50 371	17 002	33 369	55 119	18 304	36 815
MAIN CAMPUS	31 527	11 298	20 229	30 901	11 029	19 872	33 585	11 805	21 780
Business administration and accounting	6 798	2 412	4 386	6 585	2 330	4 255	8 212	2 894	5 318
Public administration	2 903	854	2 049	3 037	871	2 166	3 335	958	2 377
Architecture	3 139	1 617	1 522	2 928	1 502	1 426	2 822	1 458	1 364
Fine arts	234	124	110	493	261	232	524	289	235
Agriculture	335	82	253	363	109	254	404	104	300
Education	2 447	462	1 985	2 490	410	2 080	2 534	414	2 120
Natural and exact sciences	1 620	830	790	1 600	830	770	1 815	790	1 025
Media studies	2 731	872	1 859	2 599	836	1 763	2 793	807	1 986
Law and political science	2 397	1 268	1 129	2 415	1 236	1 179	2 591	1 217	1 374
Economics	1 122	553	569	986	479	507	971	462	509
Nursing	869	29	840	661	23	660	822	96	726
Pharmacology	642	204	438	617	175	442	626	174	452
Humanities	5 092	1 502	3 590	4 861	1 460	3 401	5 026	1 507	3 519
Medicine	785	377	408	839	392	447	860	393	467
Dentistry	413	112	301	405	115	290	396	102	294
Agriculture Chiriquí	453	323	130	388	287	101	471	339	132
REGIONAL UNIVERSITY CENTRES	17 644	5 401	12 243	19 191	5 513	12 883	20 264	5 969	14 295
Azuero	1 992	508	1 484	1 835	473	1 362	2 002	489	1 513
Coclé	1 345	423	922	1 425	434	991	1 608	461	1 147
Colón	2 345	648	1 697	2 312	592	1 720	2 527	603	1 924
Chiriquí	5 812	1 868	3 944	5 314	1 641	3 673	5 990	1 815	4 175

Centre, faculty and location	1993			1994			1995 (P)		
	Total	Men	Women	Total	Men	Women	Total	Men	Women
Los Santos	752	254	498	886	298	588	964	330	634
Panamá Oeste[1]	1 683	438	1 245	1 729	430	1 299	1 870	449	1 441
San Miguelito[2]	0	0	0	782	267	515	1 059	370	689
Veraguas	3 715	1 262	2 453	4 112	1 377	2 735	4 224	1 412	2 812
TEACHING ANNEXES	339	77	262	687	174	513	799	211	588
Barú[3]	0	0	0	311	81	230	310	85	225
Bocas del Toro	339	77	262	376	93	283	489	126	363

[1] Faculty established pursuant to Council resolution No. 35-92 of 28 October 1992.

[2] Became a regional centre pursuant to resolution No. 32-93 of 5 May 1993.

[3] Approved pursuant to Academic Council resolution No. 30-93 of 8 September 1993.

[4] Approved pursuant to resolution No. 4-94 of Academic Council No. 17-94 of 18 May 1994.

E. Scholarships and population education

Government assistance to enable students to complete their education is administered by the Institute for Human Resources Training (IFARHU) and, as can be seen from tables 16 and 17, benefits women more than men at all educational levels in the case of loans and scholarships for studies within Panama.

The situation differs for study abroad, where more men than women receive scholarships.

With regard to sex and family life education, the Population Education Office of the Ministry of Education conducts awareness programmes for teachers and students and supplies teaching guides (see tables 18 and 19).

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Table 16

Educational loans awarded by IFARHU, by sex, 1985, 1990 and 1994

Years													
1985					1990				1995				
Total	Men	%	Women	%	Total	Men	%	Women	%	Total	Men	%	Women	%
917	506	55	411	45	149	71	48	78	52	840	411	49	429	51

Table 17

Number of scholarships awarded by IFARHU, by type of scholarship and sex, 1985, 1990 and 1994

Type of scholarship	Years													
	1985					1990				1995				
	Total	Men	%	Women	%	Total	Men	%	Women	%	Total	Men	%	Women	%
For study within Panama	8 250	3 451	43	4 742	57	6 240	2 481	40	3 756	60	11 489	4 564	40	6 919	60
For study abroad	132	101	77	31	23	60	45	75	15	25	105	72	69	33	31

For study within Panama, more women than men receive scholarships at all educational levels; for study abroad, men are in the majority.

Table 18

Personnel who have received awareness and other training on the various population education topics

Personnel	Number
Curriculum area directors	5
Supervisors	100
Provincial directors and deputy directors	22
Curriculum developers	4
School head teachers - Primary	945
(Awareness training) - Secondary	60
School teachers trained	610
Teacher training college teachers	60
Home economics teachers	83
Student teachers (Veraguas Teacher Training College) trained directly by Office staff	120
Trained by teachers trained since 1992	100%
Personnel who have received awareness and other training from provincial outreach workers since November 1995	3 000
Groups of young people (universities and the Veraguas outreach group)	300
Other population groups (indigenous people, fathers, women's organizations, technical and administrative personnel and others)	600

Table 19

Teaching materials	Quantity
Preliminary version of guides for fourth, fifth and sixth grade and for secondary school	4
Teacher's guide on population and development used for teacher training at the Veraguas Teacher Training College (in use since 1992)	1
Teacher's guide on sex and family life education used for teacher training at the Veraguas Teacher Training College (in use since 1992)	1
Assorted pamphlets	Over 10,000 copies distributed
Schools covered: Primary	817
Secondary	39

APPENDIX 1

Total school enrolment by sex and education level, 1985, 1990 and 1995

EDUCATION LEVEL	Years											
	1985				1990				1995			
	Total	Boys	%	Girls	%	Total	Boys	%	Girls	%	Total	Boys	%	Girls	%
Initial	27 501	13 765	50	13 736	50	30 719	15 686	51	15 033	49	43 926	21 408	51	22 518	49
Primary	340 135	177 593	52	162 542	48	351 021	182 786	52	168 235	48	361 877	188 439	52	173 438	48
Secondary	184 536	88 786	48	95 750	52	195 903	96 269	49	99 634	51	216 219	106 252	49	109 965	51

Source: Statistical Office of the Ministry of Education.

APPENDIX 2

Number of students graduating from school, by sex and level, 1985, 1990 and 1995

EDUCATION LEVEL	Years											
	1985				1990				1995			
	Total	Boys	%	Girls	%	Total	Boys	%	Girls	%	Total	Boys	%	Girls	%
Primary	44 127	22 308	51	21 819	49	47 007	24 023	51	22 984	49					
Secondary:															
First cycle	23 579	11 861	50	11 718	50	25 999	13 389	51	12 610	49	27 041	13 925	51	13 116	49
Second cycle	13 323	5 102	38	8 221	62	15 253	5 697	37	9 536	63	15 864	6 201	39	9 631	61

Source: Statistical Office of the Ministry of Education.

F. Progress in the legal sphere

1. Family Code: Act No. 3 of 17 May 1994.

Article 491 prohibits educational establishments from imposing disciplinary sanctions on students because of pregnancy.

Previously, pregnant teenagers were usually expelled from educational establishments.

2. Establishment of the Office of Women's Affairs of the Ministry of Education pursuant to Decree No. 233 of 1 September 1995.

3. Act No. 34 of 6 July 1995 stipulates that "... education is a right and a duty of the human person, without distinction as to age, ethnic origin, sex, religion ...".

G. Other programmes

The National Office for the Care of Refugees (ONPAR) has conducted a number of programmes and seminars to educate refugees about the common responsibility of men and women in the upbringing and development of their children.

These seminars provided the target population with the education called for in article 5 of the Convention.

Another educational programme awards training scholarships to refugees, thereby giving them equal access to educational programmes.

ONPAR has organized seminars and programmes to provide its target population with vocational and micro-enterprise training. It also arranges work permits on a non-discriminatory basis for the refugee population in general, placing emphasis on women heads of household.

ARTICLE 11: Employment of women

A. Economic participation

By comparison with women in other Latin American countries, Panamanian women's level of economic participation is high. Nevertheless, there are fewer economically active women than men.

The share of women in Panama's economically active population has increased very little in the past 30 years. In 1990, men accounted for 66.6 per cent of the economically active population, while women accounted for 28 per cent.

For economic, social and cultural reasons, women's participation rate was much higher in urban areas than in rural areas. In 1990, the percentage of women in the economically active population in rural areas increased to 16.7 per cent, whereas the figure for men was 62.5 per cent. Many rural women, who tend to be poorly educated, emigrate to urban areas and join the workforce as domestic workers.

In recent years, women's educational level has tended to be higher than men's. Women are becoming able to compete for jobs traditionally held by men. They have demonstrated their ability to fill the needs of the economy's tertiary sector.

Even though women are better educated than men, however, they continue to suffer wage discrimination. Men are paid more for the same work, even when women are better qualified. Panamanian women earn between 0.80 and 0.82 balboa for each balboa earned by men.

According to the 1990 census, the unemployment rate for women is higher than that for men: 10.45 per cent of men are unemployed as compared with 14.67 per cent of women. The situation is even worse in rural areas, where the female unemployment rate is 15.34 per cent, considerably more than the rate of 7.94 per cent for men.

Although Panamanian women are clearly better educated, a comparison of women's and men's incomes by educational level reveals that there is undeniable wage discrimination, and hence employment discrimination, against women.

In 1990, women accounted for only 25 per cent of managers, administrators and high-ranking employees.

The occupational group with the highest concentration of women is that of office worker: women account for 70.4 per cent of this group. The lowest percentage of women is to be found among drivers of public transport vehicles and related occupations. Women account for 4.4 per cent of workers in the farming, fishing, hunting and timber industries, while men account for 95.6 per cent. It should be remembered that the employment of women in these industries is under-reported.

Women account for 50.7 per cent of Panama's professionals and technicians, while men account for 49.3 per cent.

The 1991 household survey estimated that approximately 66.17 per cent of the economically active population were men and 33.83 per cent were women. As in earlier years, the unemployment rate for women was nearly double that for men: 12.82 per cent of men were unemployed, compared with 22.57 per cent of women. The survey revealed an alarming increase in female unemployment compared with 1990 figures.

According to the nationwide household survey conducted by the Office of the Comptroller General of the Republic in 1994, 41 per cent of women were employed, as against 80 per cent of men. These figures show that a majority of Panamanian women - almost 60 per cent - continue to be excluded from the production process.

Panamanian housewives number 334,087, or 29.03 per cent of women, but are not counted among the economically active population because their work is not considered productive employment. This approach is debatable, since many experts consider the work done by housewives to be unpaid hidden employment.

The unemployment rate is another indicator of the continuing inequality faced by Panamanian women. The unemployment rate for women is estimated at 20.4 per cent, double the 10.7 per cent rate for men. This seems to suggest that employers show bias in hiring their employees, and this bias is part of the continuing employment discrimination against women.

In urban areas, men receive an average wage of 278.50 balboas, while women receive 241.00 balboas. In rural areas, however, the average wage for women is 110 balboas.

A breakdown of economic activity by sector shows that most Panamanian women who work do so in the tertiary sector, the country's largest economic sector. Women's participation is especially high in the service sector (47.38 per cent), commerce (23.20 per cent) and finance (6.47 per cent).

Many women have started to work in the industrial sector (9.75 per cent), particularly in textile and food production. There has also been a marked increase in the number of women working in non-traditional sectors such as transportation (2.72 per cent), electric power (0.6 per cent), construction (0.4 per cent) and mining (0.03 per cent).

On the other hand, the number of women working in agriculture has been declining steadily; only 2.02 per cent of working women are now employed in agriculture.

Data from the Office of the Comptroller General of the Republic show that for the 264,487 women who were employed in 1994, the main employers were private companies, with 93,833 women employees, followed by the Government, with 77,639 women working in various government offices. Domestic service came third, employing 46,233 women, or 17.48 per cent of the female work force.

The number of women working in the informal sector of the economy has increased rapidly in recent decades. Self-employed women account for 13.94 per cent of working women. Only 1.46 per cent of women are classified as employers or business partners.

The number of professionally trained women has risen steadily: of the roughly 260,000 women who work, 48,431 or 18.27 per cent, are classified as professionals and technicians. Although they do not enjoy full equality with men, it is worth noting that 4.78 per cent of these women occupy senior management and administrative positions.

A quantitative analysis of women's economic participation in Panama in the past decade affords a totally objective frame of reference for understanding the marginalization and discrimination suffered by women. It is also useful for examining the socio-economic factors that restrict women's access to the labour market and cause occupational segregation, wage discrimination and a sexual division of labour.

B. Legislation concerning women in the workplace

The current Constitution establishes the right to work as a right and a duty of all individuals and hence the State's obligation to develop economic policies aimed at promoting full employment and guaranteeing all workers the conditions necessary for a decent life.

The Constitution also establishes the principle of equal pay for equal work, without distinction as to sex, nationality, age, race, social class, political opinion or religion.

It further confirms the principle of protection for working women, for whom the work day is set at a maximum of eight hours and the work week at a maximum of 48 hours. For night work, the maximum is seven hours and overtime is paid at an increased rate. Women are, however, barred from working in unhealthy occupations.

The Constitution states that a woman may not be dismissed from a job in the private or public sector on grounds of pregnancy. She is awarded mandatory paid leave of at least six weeks prior to the birth and eight weeks following the birth. Upon returning to work, she may not be dismissed for a period of one year without a court order.

The current Labour Code bars women from working underground or in mines, quarries or dangerous or unhealthy occupations as determined by the Ministry of Labour and Social Welfare. This provision clearly violates the constitutional principle of freedom of occupation. It also leaves a legal vacuum by failing to specify what activities are unhealthy or dangerous.

By its ruling of 29 April 1994, the Supreme Court declared unconstitutional paragraphs 1 and 2 of article 104 of the Labour Code, which read:

"Women are prohibited from working:

1. Underground, in mines or quarries, or in construction activities involving manual labour; and

2. In dangerous or unhealthy activities as determined by the Ministry of Labour and Social Welfare."

The Labour Code also requires the State to protect maternity. A pregnant woman may not be dismissed without a court order. If she is dismissed without such an order, she may be rehired immediately and is entitled to payment of her salary or wages from the date of dismissal. According to the Labour Code, a female worker who is pregnant may not work overtime or perform tasks detrimental to her condition.

The constitutional principle of equal pay is guaranteed by the Labour Code. If it is violated, the worker may demand, through an expedited procedure, that he or she be paid the wage or salary to which he or she is entitled. In practice, however, this principle is never applied.

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Moreover, employers now routinely require potential employees to undergo a pregnancy test as a sine qua non for being hired.

In addition, national newspapers provide clear evidence of employment discrimination against women workers, in that many job advertisements specifically ask for male applicants, especially for positions of responsibility, construction jobs and jobs as chauffeurs, cooks, etc.

Although it cannot be stated categorically that women are discriminated against on the basis of their marital status when seeking employment, there are cases, for instance, in the bar and restaurant industry, where single women are preferred, ostensibly because of the problems posed by shift work.

What can be said is that Panamanian women are treated as objects when, in virtually all jobs involving contact with the public, physical attractiveness is a prerequisite for being hired or even considered for employment.

One notorious case of discrimination is that affecting women dentists working for the Social Security Administration. They are given one-year work contracts and, in violations of the laws on maternity protection, are dismissed if they become pregnant before the end of their contract, on the grounds that there is no budget available to pay them. This case has been referred to the Administrative Litigation Chamber of the Supreme Court for a final ruling.

A standard salary must also be set for these workers, since employers are currently free to pay whatever they want. In 1992, for example, their minimum salary in the cities of Panamá, Colón and San Miguelito was 75.20 balboas per month, which is not fair remuneration given the work that they do, especially since in most cases they have no fixed time off.

The Labour Code also regulates the employment of domestic workers, establishing their working hours and contract conditions and how compensation is to be calculated if their contract is terminated without cause. However, it is common knowledge that the rights of these workers are consistently abused.

Title IV of the Family Code, on child workers, prohibits minors under 14 years of age from working in jobs which, because of their nature or the conditions in which they are performed, endanger their life, health or moral well-being or affect their regular attendance at educational institutions. The only exception is found in section II, concerning women and children working in agricultural and domestic jobs, which allows women, and minors between the ages of 12 and 14, to work in such jobs in accordance with the provisions of chapter II of the Labour Code (Working women and children) concerning working hours, wages, contracts and types of work.

The employment of women is thus still regulated in conjunction with that of children in the Codes in question.

Book 3 (Role of the State in family policy), chapter III (The workplace), section III (Protection of pregnant women) of the Family Code refers to the legal protections applicable to pregnant women and to the records of pregnant

women which community services must keep in order to provide assistance, education and periodic care to those who are unemployed or lack family support.

Act No. 9 of 20 June 1994 established and regulated careers in the public administration. The Act is a step forward in legislation protecting public sector workers.

What is really important and new about the Act, however, is that it addresses the issue of sexual harassment, which it prohibits and makes punishable by the immediate dismissal of public officials found guilty of such harassment.

Act No. 44 of 12 August 1995 on the regulation and modernization of labour relations incorporated into the Labour Code a ban on sexual harassment in the workplace, making sexual harassment grounds for dismissal for superiors who engage in it. Sexual harassment by an employer is also considered just cause for an employee to resign and be entitled to compensation for wrongful dismissal. Immoral conduct on the part of the employer during work is defined as any act by the employer or his representatives which is intended to induce the employee to commit an illegal or immoral act or one contrary to his/her political or religious beliefs. Immoral acts may be interpreted as sexual harassment when the employer, taking advantage of his position of authority, induces a female or male employee to engage in sexual relations, or sexual touching, causing that employee to engage in conduct which is by any standard inherently immoral.

This interpretation depends entirely on the judge assigned to such cases, who will follow either the rules of "healthy criticism" or relevant case law. Unfortunately, there is not much case law in this area, since victims do not as yet feel sufficiently protected to file complaints. It is therefore urgent that a law dealing specifically with this issue be adopted, in order to define it clearly and regulate the procedure to be followed in such cases ensuring confidentiality and the protection of witnesses.

As mentioned above, Bill No. 42 would prohibit, punish and eliminate sexual harassment in the workplace and in the education system. It was introduced in 1995 but was not debated during that session of the Legislative Assembly.

In 1994, a survey of 500 female public and private sector workers confirmed the extent of sexual harassment in the workplace. For example, 53.6 per cent of respondents said that they had experienced such harassment in the workplace. The survey showed that sexual harassment in the workplace contributes to unemployment and that victims almost never file a complaint, because there are no policies or procedures for prohibiting and punishing such behaviour.

Turning to Act No. 50 of 23 November 1995 protecting and promoting breastfeeding, its implementation is still uneven, especially as regards the provision of maternity rooms in the workplace so that working mothers have a proper place in which to nurse their babies for half an hour.

Although significant progress has been made in promoting de jure equality between men and women in the workplace, it is clear that, in practice, the

rights of working women in our country are still being ignored because there has been no change of attitude with a view to promoting equal opportunities from elementary school onwards, nor have services been created which facilitate women's entry into the workforce on an equal footing with men.

While there are laws for the protection of women in the workplace, there are virtually no laws promoting the principle of equality in relation to women's work.

The Constitution sets forth the principle of social security when it provides that all individual's basic economic needs shall be met when they are unable to work for health reasons or unable to find paid work. These social security services cover cases of illness, maternity or disability, family allowances, old age, widows' and orphans' benefits, redundancy payments, work-related accidents and occupational diseases and any other situations which may require social security assistance. The current Health Code, adopted by Act No. 66 of 10 November 1947, provides a regulatory framework for issues related to public health and hygiene, health regulations and preventive medicine and treatment. It also contains some specific provisions related to women, the protection of maternity and children.

In the sphere of employment and occupational health, the Ministry of Health does not keep statistics on occupational accidents and diseases. The Social Security Administration does have a structured system, however, and its figures for 1993 show that the overall rate of work-related accidents was 3.9 per cent.

Although all insured persons are entitled to health care under the social security system, the health-care system is in a deplorable state. The level of care provided to insured pregnant women is poor, and there is a shortage of medicines and medical equipment.

Current social security legislation is contained in Decree No. 14 of 1954 on the organization of the Social Security Administration, as amended by Acts Nos. 19 of 1958, 66 of 1959, 74 of 1960, 15 of 1975, 2 of 1981 and 10 of 26 December 1991.

With regard to risks related to pregnancy and childbirth, insured women are entitled to the necessary prenatal and obstetric care during pregnancy and in and after childbirth, over and above any care to which they may be entitled in the event of illness. Paid maternity leave following childbirth is suspended if the insured woman refuses, does not follow or abandons prescribed medical treatment or performs any paid work during the mandatory leave period.

Act. No. 30 of 26 December 1991 adopted amendments to Decree No. 14 which violated beneficiaries' acquired rights in the area of old-age pensions and disability benefits. The age of eligibility for an old-age pension was raised for both sexes, to 62 for men and 57 for women and early retirement pensions were eliminated as of 1993.

One current problem is that of pregnant teenagers, who, according to a legal opinion provided to the Social Security Administration, are not entitled to maternity benefits on the basis of their parents' contributions. This

creates a serious socio-economic problem, since these girls generally receive no financial support from the fathers of their future children.

There is a pressing need to improve the present system of social security benefits for women, since there is clear evidence of discrimination in this area. Programmes for elderly women must also be expanded, using a gender perspective.

With regard to the principle of protection of maternity, Act. No. 78 of 24 December 1990 regulates the protection of pregnant teachers in the public education system. For example, teachers who take pregnancy leave are entitled to request assistance from the Compensation Fund but may not return to work until the child has reached one year of age. Act No. 47 of 24 September 1946 on the organization of the education system provides maternity protection for women working as teachers or administrators in the education system and extends maternity leave to the child's first birthday, under a programme called "maternity leave for better child rearing".

C. Vocational job training for women

1. Overview

Vocational training is defined as "action to uncover and develop human aptitudes for an active, productive and satisfying life and, using various educational methods, to enhance individual skills for a better individual and collective understanding of conditions in the workplace and in society and for influencing both. It must meet the training needs of young people and adults in all sectors of the economy and all branches of economic activity, at all levels of qualification and responsibility".

The institution responsible for vocational training in Panama is the National Vocational Training Institute (INAFORP), created by Act No. 18 of 29 September 1983.

The Institute's programmes involve the training, further training and specialized training of male and female workers with a view to facilitating their entry into the job market at any level, so as to promote their professional development at all occupational levels and in all sectors of economic activity and contribute to increased national productivity and output, taking into account the individual's economic, social, cultural and human dimensions in relation to his aptitudes and the employment prospects and productive occupations required by the national development process.

Such training must be structured according to a process which plots workers' potential vocational training paths in the various areas and sectors of economic activity and must include techniques enabling them to constantly upgrade their skills.

In order to meet these objectives, INAFORP must establish, organize and maintain a nationwide system which guarantees vocational training for male and female workers with a view to meeting the needs of the national development

/...

process and helps to enhance their human and technical skills, thereby improving their quality of life and standard of living.

INAFORP therefore promotes and organizes, in agreement with individual firms, training programmes that tap the abilities of each party. In coordination with the various official and private entities and bodies, it investigates, studies and plans vocational training programmes which meet the labour market's manpower needs and are priorities for the national development process.

These programmes differ according to target population and location, which explains the use of the terms "modes" and "methods" of training.

The "mode" of training depends on the staff targeted by the occupational training in question. The various modes are: apprenticeship, skills training and supplementary training. The "method" of training is the different strategies which may be used, depending on the location, and the procedure for implementing them. The traditional methods are: training in specialized centres, training in the workplace, training by mobile teams and distance training, to which computers and technological aids have recently been added.

2. Role played by the principle of equal opportunities for men and women in the design of national training policies and programmes

INAFORP has never made any distinction between men and women. This can be corroborated by analysing the final part of article 6 of Act No. 18 of 1983, which states that INAFORP must ensure that vocational training activities are carried out on the basis of freedom of choice and equality of opportunity, without discrimination of any kind.

Clearly, the vocational training programmes developed by INAFORP on the basis of its policies and strategies do not countenance or permit any kind of discrimination on the basis of sex, religion or membership in a political party.

In practice, the continuing problem is that the equal opportunity policies that underlie the various laws are not being applied and do not have sufficient force because there are no mechanisms for enforcing them.

Recently, as a result of the creation of the National Women's Council and of the National Women's Office as the governmental coordinating body for women's offices, and with the resolute support of the national private sector (NGOs, etc.) and various international organizations, this situation has gradually been changing, opening the way more fully to the application of concepts such as gender and equal opportunities.

The introduction of Bill No. 120 instituting equal opportunities for women is evidence of this new trend.

The main objective of the bill is to develop public policies to promote the full integration of Panamanian women into the country's political, economic, social and cultural development process on an equal footing with men.

The bill underscores the principles set forth in the Constitution, which states that there shall be no public or private privileges, or discrimination, on grounds of race, birth, social class, sex, religion or political opinion, and that there shall be equal pay for equal work performed under identical conditions, irrespective of who performs it.

Those principles are reflected in the number of participants graduating from courses nationwide in 1995, when 7,205 graduates (61.12 per cent) were men and 4,584 (38.8 per cent) women (see table 1).

There have also been qualitative changes. Women have entered non-traditional occupations under the Dual Job Training programme, one result being that the private sector has even expressed satisfaction at the improved performance in its factories and the efficiency with which women are working in jobs for which they were never considered in the past, to the point that women are occupying management positions in some activities and performing essential jobs on the shop floor.

3. Training policies and programmes for the new skills required for women's entry into the labour market

Institutional policy extends to the forthcoming establishment of an Office for Women.

The outline of the project for setting up such an office was drawn up in August 1995 under the auspices of the European Union (EU), the aim being to set up a unit to study, analyse and develop projects that might help to solve women's problems with regard to vocational training. Projected activities include the preparation and incorporation in INAFORP plans and programmes of a gender-specific training component and the establishment of follow-up and evaluation mechanisms. The office will be attached to the National Board of the Institute.

The original project envisaged the participation of a coordinator, a social worker, a sociologist, a psychologist, two economists, two secretaries, a messenger and a driver.

The cost is estimated at B117,019.13 per year to be funded by a national (INAFORP) contribution of B63,000 and an external (EU) contribution of B54,019.13.

The aim of the project is to obtain an accurate picture of the situation of working women at work, in society and in the family over a period of two years.

The office is expected to commence operations next year with a staff of only three, for budgetary reasons.

In the interest of maintaining interinstitutional relations conducive to the integration of women, however, INAFORP has a support unit in its Legal Advice Office. The unit's purpose is to cooperate or liaise with other State institutions which have offices concerned with all aspects of women's development.

At the same time, support is being provided by a group of six non-governmental organizations making up the "Women and Work Network" which, through a cooperation agreement signed between the Private Sector Council for Educational Assistance (COSPAE), the German Agency for Technical Cooperation (GTZ) and INAFORP, have undertaken to provide the Institute with logistical support for supervising female trainees and distributing audio-visual packages (documents, publicity slots and motivational packs) and materials for the advancement and training of female apprentices; give talks on labour law, gender, family planning and human development; and produce information bulletins on the activities carried out.

4. Scope of vocational training policies from a gender perspective

As indicated above, the aim of INAFORP is to promote workers' technical development without losing sight of the economic, social, cultural and human dimensions and of the productive skills required by the national development process.

Part of the Institute's policy is to offer an effective response in support of the country's socio-economic development plans, strategies, objectives and goals by providing human resources training and continuing education to keep up with technological progress in the business sector and the labour market, on the basis of equal opportunities and non-discrimination in the various training activities run by the Institute.

Training is not just about providing job qualifications, even if having a job undoubtedly enables people to meet their needs. The purpose of vocational training is to equip people to lead active, productive and satisfying lives.

For that reason, it is important that people who have not had access to educational opportunities be brought into the vocational training process, since this gives them the opportunity to develop other aspects of their personalities and to learn to live in the community.

It is in this quest for opportunities that we are seeing Panamanian women who lack the resources for formal (i.e., secondary and university) education increasingly embark on vocational training.

A glance at the Institute's statistics shows that women's participation over the past 10 years has averaged 0.2 per cent and has grown in absolute terms.

Table 1

Vocational training graduates nationwide by sex, 1985, 1990 and 1995

Year	Total	Men		Women	
		Number	%	Number	%
1985	3 553	2 208	62.1	1 345	37.9
1990	2 664	1 493	56.0	1 171	44.0
1995	11 789	7 205	61.1	4 584	38.9

Source: Planning Unit, Department of Evaluation and Statistics, 1985-1995.

The gradual increase in women's participation has been due to the expansion of opportunities for access to vocational training programmes offering a wider variety of courses to meet the needs of production sectors.

In taking up training, women have tended to opt for relatively short courses offering the prospect of immediate employment.

Thus, women generally opt for courses taught in fixed centres and lasting between two and eight months; in other words, basic and supplementary training courses.

Longer courses are less accessible to women since, not only are they longer but they are geared to occupations not traditionally held by women (see table 2).

The areas where women's participation has been most consistent are the garment industry, services, crafts, and hotels and catering, where they train to be dressmakers, cooks, beauticians, or craftworkers or to deal with the general public (waitresses, bartenders or receptionists). All these have traditionally been seen as women's jobs, since they are similar to the work which women do at home (cooking, sewing, looking after children or other relatives, nursing the sick, decorating the home, etc.).

Thus, most women graduating from vocational training programmes do so in occupations that reinforce their traditional role as homemakers. This creates opportunities for them to work in the service sector.

As a result, the figures for 1985-1990 show no participation by women in training for jobs not traditionally considered women's work (refrigeration and air-conditioning, computers, motor repair, sea fishing and marketing). In 1990, for example, not a single woman qualified in refrigeration and air-conditioning, computers, sea fishing or marketing. However, one year later four women qualified in refrigeration and air-conditioning, two years later 180 women graduated in computers and three years later 22 women graduated in sea fishing and 150 in marketing.

On the technical side, there has been a slight increase in the number of women in non-traditional jobs. Although they amount to only 10 per cent of the number of male graduates, women can now be found working in construction, woodworking, electricity and electronics, refrigeration and air-conditioning, motor repair, metalworking and sea fishing. This indicates, at the very least, that in such jobs a window of opportunity has opened up for women to enter occupations that socially and culturally are far removed from the behaviour patterns traditionally assigned to them; in other words, they are not "women's work".

Table 2

Graduates of training courses, by sex and type of occupation, 1985, 1990 and 1995

	1985			1990			1995 (p)		
Training area	Total	Men	Women	Total	Men	Women	Total	Men	Women
1. Technical									
1.a Farming	379	325	54	123	96	27	1 095	882	313
1.b Hotels and catering	272	151	121	81	29	52	636	140	496
1.c Craftwork	294	8	286	202	50	152	427	17	410
- Garmentmaking	399	68	331	597	126	471	1 725	196	1 529
- Services	239	1	238	12	-	12	636	2	634
1.d Construction	441	397	17	308	267	41	1 033	933	100
- Woodworking	73	73	-	51	45	6	311	290	21
1.e Electricity and electronics	159	156	3	155	138	17	1 036	985	51
- Refrigeration and air-conditioning	*	*	*	55	55	-	298	291	7
- Computers	-	-	-	-	-	-	205	67	138
1.f Motor repair	48	48	-	71	70	1	544	534	10
1.g Metalwork	251	248	3	389	386	3	1 015	981	34
1.h Sea fishing	46	43	3	-	-	-	554	512	42
1.i Marketing	9	6	3	-	-	-	-	-	-
2. Teaching	56	52	4	75	47	28	404	213	191
3. In-house training	914	632	282	545	184	361	1 770	1 162	608
Total	3 553	2 208	1 345	2 664	1 493	1 171	11 789	7 205	4 584

(p) Provisional figure.

The training areas listed in table 2 are covered by the following courses:

Farming: cultivation of fruit, vegetables, basic grains, and gourds and squashes, agricultural machinery, pig-breeding, dairy farming, bee-keeping, aquaculture, poultry farming, etc.

Hotels and catering: courses for receptionists, bartenders, waiters, cocktail waiters, etc.

Craftwork: ceramics, pottery, filigree work, flower arrangement, "mola" making, plant fibre work, etc.

Garment making: baby clothes, women's clothing, menswear, domestic clothing, industrial sewing, upholstery, use of industrial sewing machines.

Services: beauty treatment, manicure, pedicure, haircutting, hairdressing, cosmetics, chemical treatments, etc.

Electricity and electronics: basic and industrial electricity, electrical engineering, repair and maintenance of sound systems, videos, televisions, etc.

Refrigeration and air-conditioning: refrigerator and air-conditioner repair, installation and maintenance of air-conditioning, fuel conservation calculations for refrigeration and air-conditioning systems, etc.

Construction: bricklaying, carpentry, plumbing, reinforcement, etc.

Woodworking: woodturning, paint spraying, furniture design and construction, furniture design interpretation.

Computers: basic computer operation, text processing, electronic spreadsheets, DBaseIII, C programming language, etc.

Motor repair: mechanics, bodywork, painting, etc.

Metalwork: basic metalwork, welding and soldering, ornamental wrought-iron work, tool repair, machine maintenance and repair, tin work, etc.

Sea fishing: deck-hand, engineer, general sailor, coastal navigation, timber shipbuilding, fishing technology, etc.

Education: teaching methods, preparation of written teaching materials, adult education, professional ethics, basic teacher training, refresher courses, supervisory and tutorial training, etc.

In-house training: supervision techniques, on-the-job training, improved working methods, human relations, small business administration, chairing meetings, sales techniques, secretarial skills, etc.

The trend for women to enter non-traditional jobs has been welcomed by non-governmental organizations working for women's development. In 1995, they placed 31 women (20 per cent of the total) through the Women and Work Network in

various trainee posts under the Dual Job Training programmes as motor mechanics, machine and tool technicians, industrial maintenance electrical technicians, maintenance and repair technicians, and cooks (although cooking is a traditional occupation in the home, at the professional level there is a preference for men).

It is useful to have won the support of the Women and Work Network, since this enables women to be placed in non-traditional jobs under the dual job training scheme and to find paid work. As a result, as it is gradually shown that motor skills and dexterity are not exclusive to one sex and that analytical and logical reasoning skills are not the sole preserve of men, women's contribution to production will come to be properly valued, since clearly no job is intrinsically male or female and a man or a women can be productive or unproductive. This is not biologically determined but governed by social and cultural factors on which vocational training can have a major impact.

The following is the view of an employer on the placement of female trainees in his company:

> "The female trainees have had a positive influence on our male workers, who are taking more care over what they do, particularly if they are working alongside a female trainee."

This "positive influence" no doubt simply reflects the skills that women acquire when given the opportunity to train for a technical job that is considered "men's work".

There is increasing socialization within companies, and this has an immediate impact on standards and production which is reflected in improvements in integration and communication. As other employers have said:

> "There have been substantial improvements in communication and integration within the workforce. The men now look on a woman worker as just another employee."

> "In our company, there has been an improvement in communication based on respect. People now avoid swearing and making sarcastic comments."

This experience with women in jobs where people are not used to seeing them do work which is physically demanding makes the following opinion expressed by an employer all the more significant:

> "We have seen changes in people's perceptions of women in traditionally male jobs. People have realized that the only difference between us is physical strength."

Such remarks are encouraging and open the doors to other job options for women, who see it as a challenge to break with the stereotypes and stigmas that place women on a lower level than men.

4.1 Breakdown of female participation in training programmes

In 1995, of the 14,644 participants who enrolled in courses, 11,789 (7,205 men and 4,584 women) completed their courses, the drop-out rate being 19.49 per cent for women and 15.88 per cent for men.

Of the total number of women graduating from their courses (4,584), technical training accounted for 3,785, teacher training 191 and in-house training 608.

Table 3

Course hours, participants and graduates, by training type, 1995

Indicators	Total	Training type		
		Technical/ occupational	Teacher training	In-house
Course hours	203 985	199 602	1 074	3 309
Courses	842	710	25	107
Participants enrolled	14 644	12 242	422	1 980
Men	9 077	7 533	225	1 319
Women	5 567	4 709	197	661
Participants graduated	11 789	9 615	404	1 770
Men	7 205	5 830	213	1 162
Women	4 584	3 785	191	608

Source: Department of Evaluation and Statistics, 23 April 1996.

Table 3 indicates a preference for training courses which, because of their duration and occupational characteristics, offer women an immediate income, either by giving them access to the labour market as wage earners or by equipping them for self-employment.

As stated above, the most popular courses for women are those linked with service sector jobs (beautician, waitress, dressmaker, garment worker, craftworker, caterer, etc.).

With regard to types of training, 513 (60.9 per cent) of courses were taught by mobile teams and 107 (12.7 per cent) were taught in-house in 1995.

Women's participation is greatest in training courses given in training centres (45.5 per cent) or taught by mobile teams (41.1 per cent). Their participation in in-house training is lower (13.26 per cent), because such training is generally aimed at the middle management of companies or at

employees working in such areas as sales, reception, customer relations, etc. Although many women work in the latter areas, they are not in supervisory or middle management positions, which is why the statistics show lower participation by women in in-house training.

Table 4

Course hours, courses, participants and graduates by training method, 1995

Indicators	Total	Method		
		Fixed centre[1]	Mobile teams	In-house
Course hours	203 985	142 699	57 977	3 309
Courses	842	513	222	107
Participants enrolled	14 644	8 009	4 655	1 980
Men	9 077	5 452	2 306	1 319
Women	5 567	2 557	2 349	661
Participants graduated	11 789	6 374	3 645	1 770
Men	7 205	4 286	1 757	1 162
Women	4 584	2 088	1 888	608

Source: Department of Evaluation and Statistics, 26 April 1996.

[1] Includes teacher training centres.

An analysis of the figures for 1990 to 1995 shows an increase in the number of courses on offer, rising from 184 in 1990 to 842 or 203,985 course hours in 1995.

This increase in courses is linked to an increase in demand (14,644 participants in 1995 compared with 3,064 in 1990) and in the number of participants completing their courses successfully (11,789 in 1995 compared with 2,664 in 1990).

Despite this, however, a comprehensive analysis of the latest figures shows that in 1995 a lower percentage of participants completed their training than in previous years.

In 1990, the drop-out rate was 7.32 per cent for women and 9.98 per cent for men: only a slight percentage difference between the sexes.

In 1995, the drop-out rate was 9.55 per cent for women and 11.89 per cent for men.

These figures show that women's participation in training activities tends to be more stable than men's. Although there was a percentage increase in the female drop-out rate between 1990 and 1995, this was offset by an increase in training courses and in the number of women taking part in them.

Table 5

Comparative indicators: courses, course hours, and participants enrolled, passed, failed or withdrawn, nationwide

Indicators	1990	1991	1992	1993	1994	1995 (p)
Courses	184	280	526	656	618	842
Course hours	38 843	67 835	135 350	180 819	163 428	209 949
Enrolled	3 064	4 646	9 129	12 323	11 272	14 644
Men	1 753	2 830	5 524	7 618	7 314	9 077
Women	1 311	1 816	3 605	4 705	3 958	5 567
Passed	2 664	3 862	7 148	9 564	9 015	11 789
Men	1 493	2 305	4 257	5 814	5 724	7 205
Women	1 171	1 557	2 889	3 750	3 291	4 584
Failed	129	187	501	1 247	1 009	792
Men	88	117	315	806	720	590
Women	41	70	186	441	289	202
Withdrawn	271	598	1 480	1 512	1 248	1 663
Men	175	410	950	998	870	1 112
Women	96	188	530	514	378	551
Enrolled/ passed (%)	86.9	83.1	78.3	77.6	80.0	89.6

Source: Department of Evaluation and Statistics, 14 February 1996.

(p) Provisional figures.

4.2 Women-only vocational training courses

As indicated above, the training on offer does not discriminate on grounds of sex; for various reasons, however, certain jobs and occupations have traditionally been preferred by women. Thus, the training programme for the current year includes 166 courses, in five specialities, all of whose participants are women. This makes for a total of 2,501 women, as indicated in the following table.

Table 6

Vocational training courses with high female participation rates

Speciality	No. of courses	Basic training course	Supplementary training course	No. of participants
Hotel workers	11	11	-	176
Dressmakers	72	28	44	1 040
Garment workers	10	4	6	150
Beauticians	31	19	12	480
Craftworkers	42	26	16	630
Total	166	-	-	2 502

In addition, as a result of agreements on undertakings with various groups and organizations in the course of the year, training activities have taken place outside the regular programme. Thus, under a cooperation agreement with the Foundation for the Advancement of Women (FUNDAMUJER), a non-governmental, non-profit organization, mobile courses in tailoring, dressmaking, use of sewing machines, industrial garment-making (2), basic computer operation (3) and handicrafts have benefited a total of 123 women.

As a result of a cooperation agreement signed with Mr. Daniel Arias, a member of the Legislative Assembly, a training programme in basic dressmaking has been set up. This programme, which is intended to train 20 women from the Pacora community in the district of Tocumen, will last a total of 300 hours. An allocation of B20,000 from the budget for the corresponding legislative district will go to buy sewing machines, so that this activity can continue in the community.

A 250-hour training course in the repair and maintenance of electrical appliances was also organized for 19 women from the Victoriano Lorenzo community in San Miguelito, Panama province.

In conjunction with the San Joaquín Women's Committee, a course in basic dressmaking, lasting 300 hours, was taught to 18 women.

In response to requests from the Centre for Women's Development (CEDEM),

were involved in this course, which was aimed at improving the housing conditions of community residents.

The course was for residents, working with the above entities, to learn how to build with adobe blocks and to use them to build their own homes.

What is important is that, thanks to this course, seven women, out of a total of 19 participants, managed to build their own homes.

Most of the above programmes are being monitored by the different regional administrations of INAFORP. Self-management programmes are being planned, in coordination with the Cooperation for Micro- and Small Businesses (COMTEXPE) in the informal sector.

5. Research and dissemination activities to promote a gender perspective

5.1 Research activities

5.1.1 "Prospects for placing women in non-traditional occupations in Panama" (1994)

5.1.2 "Project to match traineeship supply and demand" (ENIC, 1994)

This study was conducted in the metropolitan area to match activities under the Dual Job Training programme with available trainee positions in small, medium and large businesses.

The study identified the need to, inter alia, investigate the willingness of businesses to improve the Dual Job Training scheme and the possibility of involving women in those plans.

The study concluded that, once the proposed model was extended to the service sector, women would benefit from it on a wide scale. Businesses were less prepared to offer trainee positions in the areas of shop floor management and restaurants and catering. High acceptance rates were seen in the non-traditional occupations covered by the Dual Job Training programme (electrical engineering, 55 per cent; industrial maintenance, 47 per cent; and motor repair, 40 per cent). Lower rates of acceptance were seen for female trainees in industrial maintenance and soldering.

These results were for large businesses, since micro- and small businesses were mostly unaware of the programme (62 per cent to date).

5.1.3 "Project to match traineeship supply and demand: phase II" (ENIC, 1995)

The project [illegible] participation in the Dual Job Training programme.

5.1.4. "Integration of women into the Dual Job Training programme" (1995)

This initiative was developed under the Panamanian-German agreement primarily to integrate women into the programme. The specific objectives of the study included:

To develop a network of institutions or organizations interested in the integration of women into the programme and in their placement in paid employment;

To promote the integration of women trainees into the programme, mainly in the business sector;

To coordinate conditions internal and external to the development of the project and to elaborate a plan of action for overcoming the obstacles to women's integration in the programme.

The achievements so far include:

The elaboration of a strategy and a plan of action for placing women in non-traditional occupations;

The creation of the "Women and Work Network", made up of six non-governmental organizations;

The commitment by private companies to take on women trainees;

The signing of the cooperation agreement between COSPAE-GTZ-INAFORP and the Women and Work Network;

The elaboration of databases.

5.1.5. Planning seminar/workshop "Women trainees in the Dual Job Training programme" (1995)

Representatives of the operational unit of the COSPAE-GTZ-INAFORP agreement and the Women and Work Network attended this event.

The object of this seminar was to identify and plan the necessary activities for placing women trainees under the programme in non-traditional occupations, as well as to define the Network's funding mechanisms.

The seminar found that the main obstacle to the participation of women trainees in the programme is the limited number of companies interested in taking on women, because they have little experience in doing so, a situation

With regard to administrative staff, in 1995, there was a special day devoted to "Gender and the Participation of Women in Development", aimed at the secretaries of the Institute.

The main aim of this activity was to raise the secretaries' self-esteem and introduce them to gender issues.

5.1.7 Seminar/Workshop "Gender in the Dual Job Training Programme" (1996)

This seminar was for instructors, administrative staff and the NGO Network and took place under the auspices of the German mission, as part of the commitments undertaken by the Network.

The basic objective of the seminar was to develop gender-related concepts and approaches in order to examine the changes that must be made in order to place women in non traditional occupations.

5.1.8 Round table "Role of women in vocational training" (1996)

The round table was held on the occasion of International Women's Day and was aimed at all staff of the Institute.

The round table was designed to emphasize women's new role in meeting the challenges of the modernization and globalization of the economy and to provide an opportunity for women instructors and trainees to share their experiences of training activities in which women take part in non-traditional occupations. Speakers emphasized the difficulties encountered and successes achieved in entering occupations that had originally been closed to them.

5.2 Dissemination activities (see annex 2)

6 Conclusions

Women face several challenges in a job market in which the situation of men and women is clearly differentiated.

In terms of wages, the average income of women (B/72.00) is 80 per cent that of men (B/90.00).

In terms of opportunities for advancement, more than half the country's professionals and technicians are women, but 90 per cent of decision-making positions are held by men.

In terms of employment opportunities, the open unemployment rate for women (21.6 per cent) is considerably higher than that for men (13.7 per cent).

[illegible] with 25 per cent of men. Among unemployed women, 53 per cent have completed

In the vocational training area, the above situation demands that INAFORP make a clear, decisive commitment to improving women's placement in a variety of training opportunities, backed up by self-management programmes and the training of women for middle management positions in businesses.

Community outreach activities should also enhance the integration and development of women as agents for change within their own communities.

These challenges are envisaged in the INAFORP Strategic Plan 1996-2000, which is the Institute's contribution to the struggle for genuine equality of opportunity for the entire population of Panama.

ANNEX I

Vocational training graduates nationwide, by sex

Five-year period 1985-1990-1995

Year	Total	Women	Percentage	Men	Percentage
1985	3 553	1 345	37.9	2 208	62.1
1990	2 664	1 171	44.0	1 493	56.0
1995	11 789	4 584	38.9	7 205	61.1

Source: Planning Unit, Department of Evaluation and Statistics, INAFORP

INAFORP

Courses, course hours and graduates nationwide by type and method of training

Year Courses Course hours Graduates	Total	Technical/ occupational	Teacher training	In-house	Fixed centre	Mobile teams
1990						
Courses	184	149	94	45	8	31
Course hours	59 843	37 811	22 032	15 735	295	6 001
Graduates	2 644	2 044	1 287	357	75	925
Men	1 493	1 242	858	384	47	184
Women	1 151	782	429	549	28	741
1991						
Courses	280	232	145	97	30	11
Course hours	67 835	66 385	40 200	26 190	824	450
Graduates	3 962	2 987	1 663	1 124	151	39
Men	2 329	1 816	1 281	691	101	300
Women	1 957	1 251	678	733	43	189
1993						
Courses	558	512	304	207	83	254
Course hours	180 815	174 927	119 340	58 417	1 799	3 245
Graduates	9 564	6 981	4 044	2 892	672	2 727
Men	5 814	4 994	2 543	1 419	452	1 844
Women	3 750	2 583	1 636	1 647	220	147
1994						
Courses	638	520	162	194	35	17
Course hours	163 429	163 173	120 634	19 539	2 665	990
Graduates	9 015	7 224	4 831	2 329	1 488	353
Men	5 724	4 606	3 515	1 287	944	174
Women	3 291	2 618	1 316	1 306	544	179
1995						
Courses	842	710	488	222	29	107
Course hours	203 985	199 692	142 492	57 110	1 074	1 409
Graduates	11 789	9 615	5 970	3 645	404	1 770
Men	7 205	5 830	4 073	1 757	213	1 162

INAFORP

Training activities carried out nationwide

Type of training Area of training	1990	1991	1992	1993	1994	1995
TOTAL	394	280	626	636	638	842
1. TECHNICAL/OCCUPATIONAL	149	202	477	503	526	710
Farming	11	14	19	53	45	67
Hotels and catering	5	10	20	32	42	46
Craftwork	14	9	18	16	10	28
Garment making	18	53	133	84	69	119
Services (beauty care)	1	12	19	29	24	42
Construction	23	10	79	93	82	99
Woodworking	9	9	17	14	18	22
Electricity and electronics	53	49	61	58	63	89
Refrigeration and air conditioning	5	7	9	10	14	28
Computers				22	18	20
Motor repair	9	9	14	31	31	44
Sea fishing	1	9	23	15	28	35
Marketing			3	9	6	
2. TEACHER TRAINING	5	11	11	43	17	25
3. BUSINESS ADMINISTRATION	80	37	18	100	95	107

INAFORP

Training activities carried out nationwide, by region and type of training, 1990-1995

REGION Type of training	1990	1991	1992	1993	1994	1995
TOTAL	184	280	526	656	638	842
Technical/occupational	149	232	477	513	526	710
Teacher training	5	11	11	43	17	25
In-house	30	37	38	100	95	107
PANAMA DARIEN	117	158	181	239	294	336
Technical/occupational	81	114	141	174	219	252
Teacher training	4	10	5	20	10	14
In-house	26	34	35	45	65	72
COLON-KUNA YALA	9	22	114	148	101	136
Technical/occupational	5	20	112	109	85	99
Teacher training	1		2	9	2	2
In-house	3	2	-	30	14	5
COCLE	28	34	59	52	50	67
Technical/occupational	28	33	56	49	49	65
Teacher training	-	1	1	2	1	2
In-house	-	-	2	1	1	
HERRERA-LOS SANTOS	1	10	40	52	50	59
Technical/occupational	1	10	39	48	45	51
Teacher training	-	-	1	4	4	1
In-house	-	-	-	-	1	7
VERAGUAS	24	33	68	70	55	115
Technical/occupational	23	33	67	66	55	104
Teacher training	-	-	1	4	-	4
In-house	1	-	-	-	-	7
CHIRIQUI-BOCAS DEL TORO	9	23	64	95	88	137
Technical/occupational	9	22	62	67	73	119
Teacher training	-	-	1	4	1	2
In-house	-	1	1	24	14	16

INAFORP

Courses, course hours and graduates nationwide
by mode of training, 1991-1995

Year Courses Course hours Graduates	Total Mode of training	Apprenticeship	Basic training	Supplementary training
1990	184	3	85	92
Course hours	16 943	4 500	27 245	7 198
Graduates	2 664	32	1 334	1 298
Men	1 493	32	689	772
Women	1 171		645	526
1991	240	9	134	137
Course hours	47 835	11 411	45 478	10 946
Graduates	7 962	38	2 899	1 025
Men	2 305	32	896	1 317
Women	1 357	6	983	628
1992	526	13	380	135
Course hours	130 350	15 268	104 642	11 440
Graduates	7 148	220	1 091	1 955
Men	4 159	193	2 821	1 245
Women	2 889	8	2 270	609
1993	456	24	351	277
Course hours	180 819	22 183	138 285	19 351
Graduates	9 564	371	4 647	4 546
Men	5 814	357	2 762	2 695
Women	3 750	14	1 885	1 851
1994	638	18	316	304
Course hours	163 428	23 037	116 817	23 574
Graduates	9 015	226	4 349	4 440
Men	5 724	206	2 526	2 992
Women	3 291	20	1 823	1 448

D. International conventions and conferences

Panama has ratified international conventions vital to the promotion of equal opportunities for men and women in the workplace, such as:

ILO Equal Remuneration Convention, 1951 (No. 100);

ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111);

ILO Employment Policy Convention, 1964 (No. 122).

Our country has also ratified conventions related specifically to women's work, such as:

ILO Maternity Protection Convention, 1919 (No. 3);

ILO Underground Work (Women) Convention, 1935 (No. 45);

ILO Night Work (Women) Convention (Revised), 1948 (No. 89).

However, there are other conventions which contain international labour norms promoting equality of opportunity and treatment for men and women but which have not yet been ratified by Panama.

These include the ILO Workers with Family Responsibilities Convention, 1981 (No. 156), which clearly establishes a link between equality and family well-being.

The aim of this Convention is to enable persons with family responsibilities who are engaged or wish to engage in employment to exercise their right to do so without being subject to discrimination. In particular, the Convention states that family responsibilities shall not, as such, constitute a valid reason for termination of employment.

The Convention also calls for the implementation of the necessary measures to take account of the needs of workers with family responsibilities in terms and conditions of employment and in social security.

The State must, through its public policies, promote the development of community services for children and the family in general. With the equitable distribution of family responsibilities between men and women, not only is the stereotype of women as housewives changing, but women are also becoming able to participate fully in the workforce in conditions of equality.

Another convention which Panama has not ratified is the ILO Maternity Protection Convention (Revised), 1952 (No. 103), which applies to industrial firms and to non-industrial and agricultural work, to women wage-earners working at home and to women domestic employees.

There is also the Human Resources Development Convention, 1975 (No. 142), which refers to the elimination of all forms of discrimination in the

implementation of vocational guidance and training programmes and policies related specifically to employment.

An analysis of international labour standards shows that, in recent years, ILO member States have ratified conventions which contain, rather than norms that protect women workers, norms that promote equal rights for such workers and their full integration into economic and social development.

The Fourth World Conference on Women, held in Beijing in 1995, established as one of its strategic objectives the elimination of occupational segregation and all forms of employment discrimination through a series of actions to be taken by Governments, employers, employees, trade unions and women's organizations. Such actions include:

(a) Implementing and enforcing laws and regulations and encouraging voluntary codes of conduct that ensure that international labour standards, such as International Labour Organization Convention No. 100 on equal pay and workers' rights, apply equally to female and male workers;

(b) Enacting and enforcing laws and introducing implementing measures, including means of redress and access to justice in cases of non-compliance, to prohibit direct and indirect discrimination on grounds of sex, including by reference to marital or family status, in relation to access to employment, conditions of employment, including training, promotion, health and safety, as well as termination of employment and social security of workers, including legal protection against sexual and racial harassment.

The Panamanian Government, in its national report to the Fourth World Conference on Women: Action for Equality, Development and Peace, declared the following as future strategic priorities:

1. An exhaustive evaluation of legal norms for the protection of women's rights in order to eliminate any remaining vestiges of discrimination and to ensure gender equality with regard to rights, obligations and responsibilities.

2. Recommending to international cooperation agencies that they specifically support programmes and projects for the advancement of women.

E. Child care centres

One of the strategic priority objectives of the Panamanian Government with respect to women is to establish and expand child care centres, community nursery schools and other support systems that will permit the full integration of Panamanian women in the social and economic life of the country. However, far from increasing, the number of these centres has dropped significantly. While there were a total of 147 centres in 1985, there were only 98 in 1994.

There is a nationwide programme of community nursery schools, attended by children aged up to 4 years and 11 months who receive comprehensive care. There are 92 such schools, attended by a total of 3,188 boys and girls, distributed throughout the national territory.

There are other child care centres in Panama, operated by institutions, the Red Cross, municipalities, churches, trade unions and private child care providers.

The Ministry of Labour and Social Welfare, through the Department of Community Nursery Schools within the National Social Welfare Department, plans to improve the infrastructure of community nursery schools, equip them with furniture and educational materials, appoint specialized staff and increase the number of children under 3 years of age, especially in areas of extreme poverty.

There is an urgent need for new child care centres to be set up, since there are not enough at present for the large number of Panamanian families who lack other alternatives for the care of their young children, especially the growing numbers of mothers who are entering the labour market.

No private companies in Panama provide nursery schools for their employees, because of the high cost of setting them up.

F. Evaluation of the domestic work done by women

Panama currently has no projects or programmes for evaluating women's work in the home. Such work is not measured in monetary terms in household surveys or national censuses.

The Family Code states in one of its articles that spouses shall contribute to the financial upkeep of the couple in proportion to their respective financial resources.

Work done in the home by either of the spouses is calculated as a contribution to the couple's upkeep and entitles that spouse to compensation, as ordered by the judge in the absence of agreement between the spouses, upon termination of the separate property regime.

At the time of drafting, no specific cases invoking this article had been lodged with the family courts.

ARTICLE 12: Women's health in Panama

In order to promote the overall health of women, the Ministry of Health has established a Women, Health and Development Technical Secretariat within the Division for the Promotion of Health and Health Care. The secretariat's primary aim is the harmonious development of the individuals who form the family unit, and of the community and society in general, so that health workers, and all citizens in Panama may enjoy a better quality of life. Its goal is the all-round health of the family, to be achieved by promoting, coordinating and assessing the contribution of the various health-monitoring and health-care services programmes that in one way or another serve the family group.

The social situation in Panama presents a challenge that can be tackled only if the various sectors are willing to do so and there is a political determination to do so at this precise moment in time. The challenge is to meet women's needs comprehensively and to find practical solutions that take into

account a gender perspective and help in the short and medium term to improve present levels of health by taking an overall approach to health and quality of life.

The Women, Health and Development secretariat focuses on promoting the all-round health of children, adolescents and women by implementing the following projects at the national level:

(a) Care of children. The large numbers of children in Panama make it urgently necessary that health, education and protection services be improved and made more accessible.

Since one of the priorities of the current Government is comprehensive care for children, action is being taken to, inter alia:

- Promote comprehensive care for children through prevention, treatment and after-care;

- Help prevent abuse and the various forms of violence;

- Ensure early diagnosis and proper treatment of the most common illnesses;

- Promote health education in community child care centres and in nursery schools and pre-school and school facilities concerning the growth and healthy development of Panamanian children;

- Promote food and nutrition education, with particular emphasis on children, in order to improve their nutritional status;

- Promoting the administration of micronutrients, particularly to children;

- Encouraging programmes such as salt iodization, and the use of fluoride mouthwashes in schools, to prevent endemic goitre and tooth decay in children.

(b) Care of adolescents. Panama's population is predominantly young in both rural and urban areas. The primary aim of the Ministry of Health is to provide comprehensive care for this age group by encouraging young leaders to act as advocates for both physical and mental health; involving young people and their parents in action and services aimed at meeting the needs of adolescents; promoting training for health workers who deal with these needs; raising awareness of the need to focus on preventive action to allow adolescents to reach their full potential; and developing comprehensive adolescent health programmes, in coordination with APLAFA, by encouraging the formation of adolescent groups in health regions. It also addresses issues of adolescent sexual and reproductive health.

(c) Care of adult women. Panamanian women make up just over half the population, but it is only in the past decade that Panamanian women have started to gradually enter the workforce, thereby demonstrating their ability to take on

new roles and responsibilities. Even so, this is true only for a small percentage of women. The vast majority of Panamanian women have yet to take control of their lives and remain disadvantaged and undervalued, a situation which is reflected mainly in their health care. The Ministry of Health is implementing a Women, Health and Development Programme in order to:

- Increase women's involvement in efforts to improve their health and quality of life, the benefits of which will be felt in their family group and their community;

- Carry out, encourage and support studies and research into the real situation of Panamanian women;

- Educate and raise awareness among health workers and the community at large about the situation of women;

- Develop self-management projects at the community level with young and adult women in disadvantaged areas, in order to equip them with certain tools and inputs which will allow them to achieve a satisfactory quality of life for themselves and their families.

At present, the Ministry is engaged in the task of promoting women's all-round health and implementing an institutional plan of care, prevention of violence and the promotion of healthy relationships, which is used in dealing with domestic violence. The priorities of the ministerial commission appointed to pursue this task are the training of health workers and social actors, the cross-sectoral promotion of the plan and the implementation of Act No. 27 on domestic violence. As part of this work, a form has been designed for conducting investigations when domestic violence or child abuse is suspected, to ensure that an accurate record is kept of the cases dealt with and that these are reported to the authorities as required by the Act, and to ensure that victims receive follow-up assistance.

Action is also being taken to give organized community groups involved in women's issues a more active role, by developing a community self-help network and a support group for women victims of violence.

Priority lines of action

The Ministry of Health has considered a series of priority lines of action to be taken in each of the proposed programmes.

These lines of action are:

- Promoting the all-round health of women;

- Tackling the risk factors for women's health;

- Promoting self-esteem both among target populations and among the health workers responsible for that population;

- Publicizing the "sex-gender system" theory and its implications for the health of women, girls and adolescent girls in Panama;

- Preventing the various forms of violence, particularly physical and psychological violence against women and children in the different areas of their lives.

The Ministry of Health has a health promotion area, in which health education, health communication and social participation units conduct seminars, courses, symposiums and workshops in order to educate, guide, train and inform Panamanian women and families. Major emphasis is placed on the production of audio-visual materials, printed matter, murals, posters and leaflets on health and family planning, which can be obtained from health centres, health posts and regional and national hospitals.

The Ministry of Health produces a large amount of information material on family planning and distributes it to the health regions which, in turn, distribute it at the local level. Counselling on this aspect of women's health includes guidance by the health workers responsible for women of childbearing age and women who have just given birth.

While no field research has been conducted to confirm this, we believe that women are able to obtain and use this information in practice.

The legal framework for State health policy is to be found in the Constitution, the Labour Code, the Health Code, the Family Code and others laws and decrees.

The Constitution of the Republic of Panama includes articles that provide the basis for the development of health structures, measures and activities in the country. The main articles referring to the protection of the health of families, women, children and adolescents are:

Decree No. 75 of 27 February 1969 establishing the basic statutes of the Ministry of Health;

Decree No. 246 of September 1974 restructuring the National Commission for Population Policy.

At the operational level, pregnant women are asked to make a donation for prenatal visits and for the necessary laboratory tests during pregnancy and are also given priority attention when they come from far away.

Ministerial Decree No. 1 of 15 January 1969 established the Ministry of Health.

Health activities aimed at women and the family are based on the provisions of the above legislation and are put into effect through the administrative/ technical norms of the programmes for comprehensive women's health, comprehensive child health, school health, comprehensive adolescent health, adult health and women's health and development.

Reproductive health policy, which includes family planning, has been implicit since 1969, when the Ministry of Health was established, and became explicit in the fertility regulation document drafted in 1985 which establishes the following basic actions:

- Guidance for couples so that they have the number of children they want;
- Promotion of birth spacing to improve the situation of children;
- Support for infertile couples so that they can have children.

The legal basis for fertility regulation has yet to be established at the government level.

The health conditions of women, mothers, adolescents and school-age and pre-school children in Panama are characterized by the following:

The number of women of childbearing age (15 to 49 years) in 1992 totalled 640,898, or 25.8 per cent of the total population.

In some national hospitals in urban areas and in the country's interior, nurses work shifts of from 3 p.m. to 11 p.m. and 11 p.m. to 7 a.m.

The birth rate has declined from 37.1 to 24.2 births per 1,000 inhabitants in the past two decades (1970-1992).

The total fertility rate in 1992 was 2.8 children per woman.

The birth rate among girls aged 15 to 19 was 89.7 births per 1,000 in 1992.

The rate of foetal deaths as a result of miscarriage or abortion was 102.8 per 1,000 live births in 1991, corresponding to a total of 5,910 foetal deaths under 20 weeks.

The maternal mortality rate has been halved in the past 20 years. In 1991, it was 75 deaths per 100,000, of which 78 per cent were due directly to obstetrical causes.

In 1993, the maternal mortality rate was 4.6 per 10,000 live births.

The mortality rate among women of childbearing age was 72.03 per 100,000 in 1992.

The following figures are for public health-care coverage for women in 1991:

Prenatal care: 87.5 per cent, averaging 3.1 visits per pregnant woman. Hospital births: 84.6 per cent. Caesareans: 16.6 per cent.

Approximately 12 per cent of births take place in private hospitals. Non-hospital births: 16.6 per cent.

The rate of use of reversible contraception rose to 12.3 per cent in 1992. Of contraceptive users, 49.3 per cent prefer oral contraceptives, 37.2 per cent use intra-uterine devices and 12.8 per cent use other methods.

According to the 1984 maternal and child health and family planning survey, 32 per cent of women surveyed who were of childbearing age and either married or living with a partner had been sterilized. When sterilization is included, contraceptive use can be estimated at approximately 45 per cent.

In 1990, action to prevent cervical cancer in women aged 15 and over resulted in 233,794 Pap smears being performed, representing a rate of coverage of 30.2 per cent. For the same year, the incidence of malignant neoplasms in women aged 15 and over showed that cervical cancer was the leading cause of morbidity in cancer patients, with a rate of 75.4 per cent per 100,000 women aged 15 and over, followed by breast cancer, with a rate of 19.6 per 100,000.

For the period 1984-1994, 107 AIDS cases in women were reported, representing 15.6 per cent of all cases.

The total number of live births in Panama to mothers aged 19 and under for the years 1980 to 1991 was as follows: in 1980, there were 10,711, representing 20.3 per cent of all births; in 1991, there were 11,492, representing 19.1 per cent; between these years, there were minimal variations from one year to the next (source: Office of the Comptroller General of the Republic).

In 1991, 98.4 per cent of children born to parents aged 19 and under were born to parents who were not married to each other.

In 1994, 133,621 family planning visits were reported, of which new patients accounted for 46,800. That same year, there were a total of 1,122 examinations and 795 admissions of prenatal patients in the 10 to 14 age group and 13,091 examinations and 8,453 admissions in the 15 to 19 age group.

In 1992, the infant mortality rate in urban areas was 18.2 per 1,000 live births, while in rural areas it was 17.4.

That same year, foetal mortality, which reflects the quality of perinatal care and the availability of services, reached a rate of 101 per 1,000 live births; in urban areas, it reached the alarming figure of 123.4 per 1,000, while in rural areas it was 81.9 per 1,000 live births, according to existing records.

In 1992, average life expectancy at birth was 72 (75 for women and 70 for men).

The average number of children per woman declined from 5.8 to 2.8 during the period from 1970 to 1991.

Of the total number of births recorded in Panama, 19.2 per cent are to girls aged 10 to 19. In 1991, 15.8 per cent of new users of some form of contraception in the public health system were girls aged 15 to 19 and 0.7 per cent were girls aged 10 to 14.

According to a 1991 study on the prevalence of and attitudes to drug use in Panama's urban areas, 60 per cent of girls aged 12 to 14 surveyed had consumed alcohol, 4 per cent had used sedatives and 4 per cent had used inhalants. The target group was young people under 24 years of age.

The employment figure for 15 to 18-year-olds working in Panama is 27.1 per cent; 18-year-olds have the highest employment rate, accounting for 40 per cent of these young workers.

Among young people who work, 42 per cent are employed in agriculture and 17 per cent in domestic service.

The Panamanian Labour Code establishes the right of working mothers to breastfeed their children, based on the recognition that mother's milk is the best food for young infants and that any departure from this standard increases the health risks for infants and mothers.

Rights of the nursing mother

The right to one hour off per day for breastfeeding.

Article 114. Labour Code:

> "All nursing mothers shall, in the workplace, have a 15-minute break every three hours or, if they prefer, a half-hour break twice a day during working hours to feed their children. For remuneration purposes, the time taken for breastfeeding shall be reckoned as time worked."

With regard to adolescent girls who become pregnant while in school, the State's involvement in supporting the family presupposes and requires an order of priorities for promoting the family in society and offering appropriate solutions to its problems; accordingly, the necessary mechanisms must be established and implemented to ensure that the action taken is effective.

In Panama, awareness-raising programmes for women on family planning and breastfeeding are conducted through the Amigo de los Niños Hospital project. These programmes work with breastfeeding support groups in the communities and in the schools. Similar activities are also carried out by health centres as part of the maternal and child health-care programme.

Employers must provide properly equipped premises for mothers to breastfeed their children.

Article 156 (b). Health Code:

> "All employers employing 20 or more women in the workplace shall be required to equip premises so that mothers can feed their children without danger. Such premises shall be equipped in a manner commensurate with the employers financial possibilities.
>
> "All workers employed in the public or private sector shall have facilities for breastfeeding their children, and large facilities,

establishments and services shall provide cribs, baby carriages and other appropriate equipment."

Act No. 50 of 23 November 1995, which protects and promotes breastfeeding, consists of nine sections stipulating general provisions, definitions relating to breastfeeding, the establishment of a commission to promote breastfeeding, the health workers responsible for awareness raising, information and education, the promotional campaign to be carried out by the mass media, the labelling of supplementary foods, procedures and penalties, and final provisions.

Abortion

A national multidisciplinary commission has been set up in Panama in this connection. Act No. 18 of 22 September 1982, which authorizes the practice of therapeutic abortion when justified by serious health risks that endanger the life of the mother or the product of conception, provides for the drafting of norms to regulate this matter at the national level.

According to an epidemiological study carried out in Panama from 1990 to 1995, pregnancies resulting from rape and incest are rejected by the commission as grounds for abortion. Of special concern was a group of 25 pregnant teenagers; in 11 cases involving situations of sexual abuse, requests for an abortion were rejected.

Because of the German measles epidemic in 1993, German measles was the first condition for which abortion was medically indicated. What is alarming, however, is the 13 pregnant women found to be HIV-positive. The commission will give thorough consideration to these patients' requests for abortion and in each individual case will take a decision based on the age of the foetus and the feasibility of treating the mother with AZT.

Efforts have been stepped up to immunize schoolchildren against German measles at the end of primary school and to systematically immunize all non-immunized mothers immediately after childbirth.

The total number of requests for therapeutic (legal) abortion was 143, of which 100 were approved and 43 were rejected.

The conditions for which abortion is medically indicated are: German measles, HIV, toxoplasmosis, malignant neoplasms, congenital malformations, radiation exposure, sickle-cell anaemia, treatment with Coumadin and maternal heart disease.

With respect to human resources and infrastructure, Panama has 30 hospitals and 26 health centres with maternity wards. There are a total of 958 general practitioners and 1,719 specialists, of whom 58 are obstetricians, and 2,566 nurses, of whom 119 are obstetric nurses and 15 are currently in training, 127 nursing auxiliaries and 414 health workers. The latter are important because, in very remote areas where there are no specialists, nurses, nursing auxiliaries and health workers are responsible for women's and children's health activities. Specialist resources are concentrated in Panama City and the city of Colón and are in short supply in the other regions of the country. In areas far removed

from health posts, a strategy of training traditional birth attendants has been implemented to help reduce maternal mortality.

Women, sexually transmitted diseases (STDs) and AIDS

As regards HIV and AIDS prevention, Act No. 26 stipulates disciplinary measures and measures to control the AIDS epidemic and the spread of HIV.

In 1994, the Ministry of Health set up a National Programme for the Prevention and Control of HIV/AIDS in the Division for the Promotion of Health and Health Care of the Department of Health. This new structure has brought a different approach to the fight against AIDS, emphasizing prevention through strategies to raise awareness.

The AIDS epidemic is one of the biggest challenges to women's health. In 1985, with only one case reported in women, the male-to-female ratio of AIDS cases in Panama was 17 to 1; 10 years later, in 1995, the number of cases had risen to 33, and the male-to-female ratio was 3 to 1.

From 1984, when the epidemic began, to 1995, the incidence of HIV/AIDS in women rose steadily, with rates per 1,000 inhabitants increasing from 0.9 (1985) to 25.4 (1995). This means that, in recent years, women have been more severely affected by the epidemic; its incidence has been highest in the most sexually active age group (25 to 44 years).

As the number of women of childbearing age increases, so does the number of children born with the virus; in 1995, the country had a cumulative total of 43 such cases, representing a rate of 14.6 per 100,000 children aged from 0 to 4 years.

The impact of HIV/AIDS on women is not only numerical; women are affected not only as individuals who are HIV-positive, but also in terms of their different roles in society: as mothers, wives, teachers, breadwinners, and so on.

Because of the importance of preventing the spread of HIV/AIDS and given women's traditional role as guardians of their families' health, there is a need for women's groups to be involved in the study, dissemination and planning of strategies and activities to prevent HIV/AIDS infection.

Likewise, action must be targeted at raising men's awareness and sense of responsibility vis-à-vis sexual attitudes and preventive behaviour.

In 1995, a total of B226,074.63 was spent nationwide on training activities, the dissemination of educational messages (via radio, billboards and the print media) and the production and distribution of educational materials.

Health workers, organized groups and communities all benefited from such activities. A total of 804 outreach workers were trained and educated in STD/AIDS counselling and prevention.

It is estimated that female participation in these activities was around 50 per cent.

Female circumcision and other practices harmful to women's health

In Panama, this practice seems to occur among indigenous groups in the Darién area, where research carried out by the Children's Hospital's Department of Paediatric Gynaecology is only just starting to yield information. We do not have sufficient data to be able to say that this practice is a really serious problem, so measures must be adopted at the institutional level, especially in the province mentioned, to detect cases and compile information to be shared with the health sector and to develop strategies for eliminating these practices, which are harmful to women, at the sectoral level and in cooperation with non-governmental organizations.

- With regard to the numbers of women attending public health clinics, while this cannot be documented at the national level, it is important to emphasize that a significant number of these women are aliens, mainly from Colombia and the Dominican Republic.

Of the total number of medical and public health examinations performed on food handlers, 26 per cent were performed at public health clinics, which women visit either because they choose to do that type of work, or because it is their only means of livelihood and the easiest way they have found of supporting their families. Of the number of women who sought these services at health facilities in 1995, 3.3 per cent were first-time patients.

- With regard to elderly women or women aged over 60, it is important to note that, in Panama, average life expectancy at birth is 73.21; when broken down by sex, it is 75.41 for women. However, this figure is not constant throughout the country; in more backward regions, such as Darién, women's life expectancy is 64.94 years, while in others, such as Bocas del Toro and Veraguas, it is 70.

The principal causes of mortality in this age group are generally related to malignant neoplasms, cerebrovascular diseases, myocardial infarction, accidents, suicide, homicide and other forms of violence, and diabetes mellitus. When these are analysed more closely, however, the leading causes of death are seen to be myocardial diseases, diabetes mellitus and pneumonia.

Insofar as legislative action to protect this age group is concerned, we know only of the following:

- Act No. 6 of 1987, establishing special benefits for women over 55 and men over 60 who are retirees, pensioners or disabled, in such areas as recreation, public transport, hotels, restaurants, hospitals, pharmacies, medical and legal services and banking transactions. This Act was amended to provide for the establishment of a retirees' and pensioners' fund.

Mental and behavioural disorders in women

Epidemiological and anthropological data point to differences between men and women in terms of mental and behavioural disorders. Women's pain and suffering are caused by the social conditions they face. Poverty, overwork, violence and financial dependence result in despair, exhaustion, anger and fear. Understanding how the social and cultural forces that determine women's social status interact contributes to an understanding of the risk factors involved.

Comparative analyses of empirical studies of mental disorders have shown a consistent pattern across a variety of societies and social contexts. While symptoms of depression, anxiety and non-specific mental disorders are more prevalent in women than in men, drug dependency is more prevalent in men, and the situation in our country is no different.

In Panama neurotic disorders were the main reason for outpatient visits by female patients whose psychiatric illness was treated and reported.

Based on an analysis of available statistical data from the outpatient department of Aquilino Tejeira Hospital and Marcos A. Robles Hospital in Coclé province for the year 1995, the following reasons can be cited:

Aquilino Tejeira Hospital

1. Prolonged depressive reaction (27 per cent of all visits);

2. Psychosis (paranoid and manic-depressive);

3. Anxiety.

Marcos A. Robles Hospital:

1. Neurotic disorders (anxiety neurosis and other non-specific neurotic disorders);

2. Schizophrenic psychosis.

Reasons for admissions of female patients to general hospitals and the psychiatric hospital due to mental disorders

In 1995, men used hospital psychiatric services more frequently than women.

At Santo Tomás Hospital and Nicolás Solano Hospital, a total of 238 patients (149 women and 89 men) and 246 patients (138 men and 108 women), respectively, were admitted. At the Psychiatric Hospital, 546 out of 910 patients were men.

Among the main reasons for admission of female patients to these hospitals were the following:

Santo Tomás Hospital

1. Affective psychosis (79 out of a total of 109 cases);

2. Other non-organic psychoses;

3. Depressive disorders not classifiable under other headings.

Nicolás Solano Hospital

1. Schizophrenic psychosis;

2. Manic depressive psychosis.

National Psychiatric Hospital

1. Paranoid schizophrenia (83 cases);

2. Drug dependency (54 cases);

3. Affective psychosis (24 cases).

Out of a total of 214 patients admitted for drug and alcohol dependency, 25 per cent were women.

In terms of place of origin, of the 344 women admitted, 30 per cent came from the San Miguelito district, 15 per cent from the communities of Juan Díaz (8 per cent) and Rio Abajo (7 per cent), and 6 per cent from Chiriquí province.

According to the 1990 population census, of a total of 31,111 physically and mentally disabled persons, 44 per cent were female.

Of 7,491 mentally retarded persons, 3,299 were female, 980 were in the 10 to 19 age group and they came mainly from the provinces of Panamá, Chiriquí and Veraguas.

Women and violence

In Panama, as in the rest of the world, violence in general has increased; in 1987, accidents and violence reached a rate of 50.9 per 100,000 inhabitants.

Accidents, suicides and homicides have increased over the years.

Among accidents, traffic accidents feature prominently, mainly because the population's exposure to traffic risks is high.

Violence is the second leading cause of death in the country.

In 1987, mortality rates were higher for men in all age groups, with a male-to-female ratio of 3.8 to 1.

Mental health staffing resources, by gender

National Psychiatric Hospital

The National Psychiatric Hospital has 504 technical and administrative staff, of whom 63 per cent are women. Of these, doctors account for 3.5 per cent and nursing staff (nurses, nursing auxiliaries and health workers) account for 43 per cent.

Currently, efforts are being made to address some problems inherent in the tabulation of available statistical data on incidence and prevalence, psychiatric illness and the reasons for hospital admissions due to mental and behavioural disorders, by gender and age group.

Full-time preventive health services provided in connection with family planning

Centre for Research into Human Reproduction

Data provided by women's special reproductive services.

Infertility clinic

The infertility clinic of the Centre for Research into Human Reproduction was established in 1987, its main objective being to promote fertility in couples with reproductive dysfunction by providing the highest standard of treatment available in Panamanian institutional medicine. This clinic functioned initially in the reception area of the María Cantera de Remón maternity ward at Santo Tomás Hospital. Owing to high patient demand, it was redesigned and began functioning in 1993 in section 21 of the same maternity ward, with two consulting rooms, a waiting room and a laboratory for processing semen samples, endocervical mucus and post-coital tests.

The infertility clinic is the only such clinic in the country to be covered by the social security system. As a result, its patients (currently around 855) come from all over the country.

The services provided by the clinic are as follows:

Laboratory: hormone tests, spermiograms, post-coital tests, endocervical mucus tests, semen lavage for intra-uterine insemination.

Ultrasonography: follicular monitoring, obstetric ultrasounds.

Surgery: laparoscopy, open surgery (laparotomy) in which tuboplasty is performed, removal of adhesions, fulguration of endometriosis foci, myomectomy, etc.

Consulting rooms: patient care, hydrotubation, intra-uterine insemination, removal of stitches, injectables.

Computer systems: monthly and annual reports, on-line bibliographical research.

Patient visits and surgery performed at the infertility clinic (last four years)

VISITS	SURGERY	
1993 (June-Dec.) = 1,075	1993 Laparoscopies =	50
	Open surgery =	1
1994 (Jan.-Dec.) = 1,976	1994 Laparoscopies =	72
	Open surgery =	16
1995 (Jan.-Dec.) = 3,805	1995 Laparoscopies =	113
	Open surgery =	27
1996 (Jan.-March) = 910		

Pregnancies following special treatment:

1994: 46

1995: 45

1996: 21

Family planning clinic

The family planning clinic of the Centre for Research into Human Reproduction was established in March 1993 with the general aim of promoting and developing modern contraceptive technology in connection with the post-partum and post-abortion care of adolescent girls and young women. This clinic was established in the María Cantera de Remón maternity ward of Santo Tomás Hospital in response to the increase observed in recent years in the rate of births and abortions among the adolescent population. If we look at the problem and review the statistics provided by the maternity ward, we can see that, in 1993, there were 14,909 births, of which 3,429 (23 per cent) were to mothers under 20 years of age. The family planning programme for adolescent girls and young women was launched to deal with this situation. It has a psychosocial team that provides counselling on a daily basis to adolescent girls and young women who have undergone abortions in the María Cantera de Remón maternity ward.

The clinic serves adolescent girls and young women up to 24 years of age. They are referred to the clinic by the post-abortion, post-partum and outpatient programmes.

The clinic is located in section 21 and currently has 823 patients; medical care is provided free of charge and the atmosphere is one of quality care and confidentiality.

Staff of the Centre for Research into Human Reproduction

The Centre has a multidisciplinary team specialized in the areas of bio-psychosocial research, teaching and reproductive health services for infertile couples and adolescents.

Specialized area	Number of staff	Sex
Gynaecologists-obstetricians	4	3 men, 1 woman
Nurses	3	*1 part-time
Social worker	1	*
Psychologists	2	*
Sociologist	1	*
Clinical laboratory technicians	2	1 man, 1 woman
Computer systems engineer	1	
Administrative personnel	6	2 men, 4 women
Resident physicians	2	Rotate every two months

ARTICLE 13: Participation of women in recreational activities

The National Institute of Sports (INDE) is the leading government agency responsible for promoting, fostering, directing, guiding and coordinating amateur sports activities throughout the national territory and the physical, intellectual and psychological development of Panamanian men and women with a view to enhancing their ability to exercise their rights and fulfil their duties as members of society.

The objectives of the Institute are:

- To contribute through sports and recreation to the physical, intellectual and psychological development of Panamanian boys, girls, women and men in order to make them more complete human beings in both body and mind;

- To contribute to enhancing Panama's prestige in sports, both nationally and internationally.

INDE is a decentralized State entity and was established on 2 June 1970 under Decree-Law No. 144. It was established as the National Institute of Culture and Sports, but in 1974 became the National Institute of Sports.

It is organized as follows:

- Office of the Director

- Office of the Assistant Director
- Administrative office
- Technical office and
- Architecture and engineering office,

with their respective departments and sections.

There are currently 530 staff members, of whom 145 are women and 385 are men.

The figures for the total number of women and men in managerial posts in the various departments and sections are as follows:

- 9 female heads of department and section;
- 17 male heads of department and section.

With regard to the administration of sports complexes such as gymnasiums, swimming pools and stadiums, there are three female administrators and 46 male administrators.

There are a total of 27 sports promoters in various sports, such as baseball, football, swimming and wrestling, of whom one is a woman and 26 are men.

There are currently 49 coaches in various sports, such as cycling, wrestling, swimming, boxing, judo, basketball, football, athletics, weight-lifting, volleyball and gymnastics, of whom one is a woman swimming coach and 48 are men.

Lastly, there are eight provincial directors (Colón, Coclé, Chiriquí, Herrera, Los Santos, Veraguas, Bocas del Toro and San Blas). All are men.

It is important to note that sports are approached from the basic psychological standpoint that they are the means which nature has provided for preparing human beings for life. As such, they do not eliminate, select or discriminate.

The following information will permit a better understanding of sports activities.

The female organism differs from that of men, in that women have fuller figures and are less muscular. They are 10 per cent more agile than men in all exercises that do not rely on physical strength.

Women have a sense of beauty and aesthetics and prefer exercises that demonstrate grace and plasticity.

Turning to the specific case of Panama, Panama has participated in 12 Olympic Games. The first Panamanian women to participate, Carlota Gooden, Yean Holness, Lorraine Dunn and Silvia Hunten, competed in the athletics events at the Rome Games in 1960.

Other Panamanian female athletes who have participated in the Olympics are: Stela Espino de Saurer, Marcela Daniels, Delcita Oackley, Georgina Osorio and Bárbara O'Higgins.

Two young Panamanian women, Eileen Marie Coparropa Alemán and Yennieli Schuverer Arrue, participated in the 1996 Olympic Games in Atlanta.

At the national level, there are 17 sports federations, one of which has a woman president (Federation of Gymnastics). There are also eight sports commissions, only one of which has a female president (Karate Commission). There are four sports associations, all chaired by men.

In the Second National Intercollegiate Games, Covenant for Children 1996, 11 girls and 14 boys competed in athletics and 7 girls and 8 boys in swimming. There are no statistics on the other sports, such as baseball, volleyball and basketball, included in the intercollegiate event.

Unfortunately, it was not possible to obtain information on how many women have been given mortgages, bank loans and other forms of financial credit since, at present, such data are not gender-disaggregated.

However, the cooperative banking system in our country provided information on its credit programmes for Panamanian women, particularly women in rural areas. Detailed data are given under article 14 of this report.

ARTICLE 14: Women in rural areas

Research shows that, in urban and rural areas, 75 per cent of government programmes for women are assistance programmes (health, education, mother and child counselling) and 25 per cent are aimed at integrating women in, inter alia, agricultural production, individual and family micro-enterprises, food-processing projects, small-scale industry and craftmaking and giving them limited access to credit.

The main rural women's projects implemented with small-scale loans have been mechanized rice planting, fish farming and the planting of 1,243 acres of vegetables and 400 acres of tubers.

Under projects coordinated by the Ministry of Agricultural Development, a total of 110 loans, amounting to US$ 43,764.00, were granted to rural women's organizations from 1994 to 1996, with the aim of launching a rural development process that would be effective in the short term and sustainable in the long term, thereby creating independent sources of work for Panamanian women.

The Department of Rural Development of the Ministry of Agricultural Development, in cooperation with other government agencies, is seeking to

achieve social and economic equity for the rural population, particularly rural women.

Act No. 12 of January 1973 forms the basis for the Ministry's provision of such services to women's organizations and authorizes the Ministry to promote, organize and train the rural population. Within this legal framework, the Ministry's Department of Rural Development has been promoting women's organizations through its unit for the development of rural families. The rural women's programme currently serves 170 organizations, with a total of 2,251 members, in eight regions of the country (Chiriquí, Veraguas, Herrera, Los Santos, Coclé, Capira, Colón and Chepo).

Existing rural women's organizations produce food mainly for family subsistence. Traditional limitations, such as administrative weaknesses, scarcity of land, lack of access to credit and lack of advice on how to market their products, prevent them from achieving more effective and sustained development.

Rural women's groups are served by a system of extension offices, the aim being to integrate rural women in national development through their genuine and effective participation and also to improve their knowledge and skills through non-formal education.

To achieve these objectives, action is being taken in a variety of areas: promotion, organization, training, agricultural production, food and handicrafts. Women are also being involved in gender development programmes, with emphasis on the launching of joint male/female projects, such as sustainable agriculture farms in marginal areas.

Various projects designed to meet the needs of the population have been implemented, including:

- Strengthening of rural female leadership (First Lady's Office);
- Project for the sustainable development of Darién (Industrial and Agricultural Financing Agency (FIA));
- Rural development with gender equity in the district of Atalaya (FAO);
- Proposal concerning rural poverty and natural resources;
- Project for sustainable rural development in the provinces of Coclé, Colón and Chepo.

The Ministry of Agricultural Development has begun to coordinate its work with that of non-governmental organizations such as the Foundation for the Advancement of Women with which it has signed a technical cooperation agreement for increasing and strengthening the role of rural women in the agricultural development process. Such activities are being carried out in the province of Veraguas, where community production and training farms have been set up in the district of Cañazas, benefiting 112 families in nine communities. In the provinces of Herrera and Los Santos, environmental awareness projects are being

implemented jointly by the Ministry of Agricultural Development, FUNDAMUJER and GTZ, involving the promotion of rational use of pesticides and chemicals, the gradual introduction of organic farming and the use of natural products.

Through the new National Women's Office, working meetings are being held with the Ministry of Labour and Social Welfare to review the implementation of the Women and Development Action Plan, in which rural and indigenous women are playing a leading role in areas of special interest. Three projects have been formulated under this Action Plan:

- Gender perspective in the Ministry of Agricultural Development;
- Large-scale land-titling programme;
- Rural development with gender equity in the district of Atalaya.

Access to land is one of the problems currently faced by women. The constraints on such access are attributable to structural and legal factors and are affecting women's participation in the country's socio-economic production process.

Studies on women's access to land in Panama have been limited and their findings discouraging. According to a report on the period 1988-1993, of the 7,556 land title deeds awarded during that period, 27.8 per cent went to women and 72.2 per cent went to men.

Data on the allocation of hectares, by gender, in the period 1988-1992 show that of the 65, 883,000 hectares of land distributed in Panama, 19.7 per cent went to women and 80.3 per cent to men.

The provinces where women fared best in terms of obtaining land and land title deeds were Chiriquí and Los Santos. The provinces where they fared worst by comparison with men were Darién, Bocas del Toro, Veraguas and Herrera.

The absence of statistical data makes it impossible to determine precisely which groups of women gained access to land or to make comparisons among socio-economic groups in rural areas.

Educational opportunities for Panamanian women in rural areas are critical: barely 8.6 per cent of young people aged between 15 and 19 attend school, because young people begin working at that age and therefore leave school.

As part of education policy in these areas, training activities are being planned for young women in communities that have development prospects. Scholarships, seminars, national and international agreements for marginalized women, and training in the production of materials for building homes and making furniture are also being promoted. Health centres are being expanded and are offering sex education and family planning programmes with the aim of ensuring the all-round health of women and their families.

With regard to human resources, women have been given training for work and technical and financial assistance for self-help activities and production cooperatives in order to upgrade their quality of life.

A. Organization of cooperatives and access to agricultural credit and loans

In recent years, women's participation in the administrative work of the Panamanian Autonomous Cooperative Institute has increased; 48 per cent of the Institute's staff members are women, including the Executive Director - the first woman to head the Institute since its founding. In addition, women's participation in cooperatives throughout the country has highlighted the importance of this sector, where 43 per cent of all members are women.

Women's participation in cooperative boards, particularly in education and credit committees, is 39 per cent.

The cooperative banking system, through PROMUCOOP (Programme for women cooperative members) established in 1988, seeks to provide credit to groups formed by female cooperative members, which it organizes and trains for that purpose.

Since Panamanian women play a significant role in the country's social and economic development from an early age but do not, as a result, have the necessary educational background, the implementation of a programme to involve women in the strengthening and development of the cooperative movement is crucial.

Rural women perform traditional jobs and roles, especially as domestic employees or housewives; however, they are aware of the need to engage in other activities that will enhance their status and make them more equal members of society.

As a result, women first join mixed male/female cooperatives and then go one step further; thus, there are currently 19 all-female cooperatives.

The women's cooperative movement has a national committee whose main objective is to ensure that women's participation in the cooperative movement is visible and effective. The committee works in cooperation and coordination with the National Cooperative Council (CONALCOOP), the lead agency of the cooperative movement, and with the Panamanian Autonomous Cooperative Institute (IPACOOP). The women's cooperative movement is headed by the Executive Director of IPACOOP (a woman) and supported by a Norwegian organization (NDR); an agreement is being signed with Canada for social tourism projects in rural areas.

B. Participation in community activities

The Ministry of the Interior and Justice, through the Department of Community Development (DIGEDECOM), has been carrying out effective action in the areas of education, academic and non-academic training, development of community services, organization of self-help groups, cooperatives and training in areas designed to improve living conditions.

In this connection, the organization and training programmes have had a major impact on community development and the empowerment of women.

The Department of Organization and Training for Integrated Development, established under Decree No. 13 of 20 January 1996, is responsible for activities to ensure the success of the Ministry's community development programme, which seeks to bring about qualitative changes in the level of the population's participation in activities for their own advancement and development. The following departments are responsible for such all-round training and for the organization of production:

1. Training (promotion of integrated development);

2. Community groups (technical training in basic skills and organization for production);

3. Handicrafts (training and promotion of self-management);

4. Community relations (child-care centres);

5. Popular culture (recovery, consolidation and preservation of the national culture and cultural projects).

During the past two years, organization and training programmes have focused on low-income groups, particularly children, young people and women. However, much remains to be done to ensure women's participation in the community on an equal footing, since these programmes do not as yet include a gender perspective.

C. Equal living conditions in the area of housing

The State must guarantee women equality with men in all areas, particularly in the area of housing. In an effort to secure enjoyment of this social right for the entire population, particularly for people with low incomes, the Ministry of Housing has made great efforts to do away with the subhuman condition in which hundreds of Panamanian families live, particularly those living in condemned housing, temporary shelters and slum districts.

Accordingly, the Ministry of Housing has not objected to women being awarded housing irrespective of whether they are part of an intact or broken nuclear family and whether they are married, living with someone, single or elderly.

According to the Constitution, "The State shall establish a national housing policy designed to secure enjoyment of this social right for the entire population." In order to faithfully carry out this mandate, Act No. 9 of 25 January 1973 established the Ministry of Housing, whose functions are to establish, coordinate and effectively ensure the implementation of a national housing and urban development policy designed to secure enjoyment of this social right for the lowest income groups. The Family Code likewise speaks of the right to decent housing.

It must be pointed out that the Ministry does not have any quantifiable data regarding the total number of women who are looking for housing or who were served or awarded housing in the past 10 years, because the statistics are not structured in this way.

It is important to point out that being a woman is not an impediment when it comes to being awarded housing, since what is required of applicants is that they have an income and a permanent job.

When moved to new housing projects, a large proportion of families have become involved in the process of community participation and organization which is designed to help them discover their potential and develop their capacity to manage their own affairs, for their own personal benefit and that of their community. In the past five years, some 800 families have been involved in this process; this has been followed up with education programmes on disease and drug prevention and training in human and neighbourly relations, domestic science, nutrition and so forth. Women have played a major role in all these activities.

According to housing plans, programmes and projects, a woman can apply for housing on her own without requiring authorization from her husband or parents. Act No. 93 of 1973 permits a woman to enter into a lease to acquire a rental unit without any limitation, provided she has the necessary financial resources.

There is a housing shortage of 240,000 housing units in Panama, most of it (47.98 per cent of the total) in the province of Panama, which is the most heavily populated province since the capital city, the centre of most economic activity, is located there.

Currently, the Ministry is about to sign a new loan agreement with the Inter-American Development Bank (IDB) in order to strengthen the development of new ways of dealing with the housing problem, which include the Programme of Rapid Assistance for Low-Income Housing (PARVIS), the Housing Programme based on Subsidies and Savings (PROVISA) and the Joint Financing Programme (PROFINCO), all of which focus on low and middle income families.

According to a report submitted by Ms. Enriqueta Davis in 1994, in 1990 some 55 per cent of permanent housing was in urban areas, 87.2 per cent of semi-permanent housing was in rural areas and 61 per cent of housing was makeshift. At the same time, 68 per cent of housing with running water was in urban areas, while 59.2 per cent of rural homes had sanitary wells and 36 per cent got their water from surface wells, streams, tanker trucks and rainwater; 63.3 per cent of rural homes had holes in the ground or latrines and 25 per cent had no sanitation.

In urban areas, overcrowding, invasion by squatters, slums, condemned housing and lack of access to housing programmes are some of the factors affecting the living conditions of Panamanian women.

In order to deal with this problem, the Women and Development Action Plan proposes to try to improve women's access to housing, particularly to the low-income housing being promoted by the Government.

The Women and Development Action Plan includes a large number of activities in the area of family and housing, including the following:

- Gender analysis training for staff in the Ministry of Housing to ensure that women's needs are taken into account in housing construction projects;

- Promotion of the construction of housing which meets minimum space needs and is affordable for women heads of household;

- Preparation of programmes and projects for women heads of household to give them access to building materials.

ARTICLES 15 AND 16: Women and the family

Frequently, a right which has been recognized by law is not implemented because of the socio-cultural patterns of behaviour learned from fathers and/or mothers, which they, in turn, learned from their parents.

Of course, just because these are learned behaviours that are handed down from one generation to the next and just because people have traditionally behaved in a certain way, does not mean that people should not recognize that, in many cases, their behaviour is discriminatory. The main thing is to accept that there is a problem and that there are various ways of dealing with it, so as to move ahead in the modern world which is facing great challenges as a result of globalization.

II. Important changes in Panama's legislation

Since we believe that formal equality, i.e., equality under the law, while not enough, is important, since it is essential to know how the law has changed in relation to women's rights, we shall start by evaluating the legal content of current family law from a gender perspective and go on to inform the reader of the progress made.

A. Family Code[1]

The entry into force of the Family Code on 3 January 1995 represented a major reform as regards the women's rights recognized under Panamanian law.

The changes made in that law have helped to improve the legal status of Panamanian women, particularly married women. Article 77 states that:

> "The spouses shall determine the conjugal home by mutual agreement. In the absence of any express statement, it shall be assumed that the woman has adopted the husband's domicile or vice verse, according to the circumstances of each case" (our underlining).

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[1] Act No. 3 of 17 May 1994 adopting the Family Code, G.O. 22591 of 1 August 1994, year XCI, pp. 1-224.

Panama's previous legislation, i.e., the Civil Code, established clearly that the woman was subordinate to the man; article 112 (a), referring to the obligations and rights of the spouses, stated that the wife "must follow her husband wherever he establishes his residence, unless she exercises the right given her under article 83".

The Civil Code, being the product of a society in which the man, having traditionally been the provider, was considered the head of the household and in which all housework was done by the woman, contained great differences as regards rights.

The Civil Code established clear differences which absolutely had to be corrected, since the residence provision was of tremendous importance when it came to divorces in which the grounds cited were complete abandonment of wifely duties. Since a wife was obliged to follow her husband wherever he established his residence, once a husband could prove that his wife was not living in the conjugal home and was not living under the same roof, it was easy for him to obtain a decision in his favour by citing abandonment.

At the same time, it must be conceded that the case law of the First Superior Court paved the way for the change, when it stated in its judgements that:

> "A separation resorted to by one of the spouses does not always demonstrate or imply fault on his or her part. In order for such separation to constitute abandonment of conjugal duties, it must be unmotivated or unjustified".

The husband simply had to prove separation, because the law favoured him by making it the wife's duty to follow her husband, but not the husband's duty to follow her.

With the entry into force of the Family Code, and thus the derogation of the provisions of article 112 (a) of the Civil Code, the judge, in order to take into account the circumstances of each case as indicated in article 77 of the Family Code, must be clear as to the motives which have prompted a man or a woman to leave the home, without a priori assuming that the woman has abandoned her home and is therefore the guilty party in the divorce because she failed to follow her husband.

The spouse who moved away may have done so because of the conduct of the spouse claiming to be the innocent party.

We believe that, in order for abandonment of the duties of husband or wife and/or father or mother to constitute grounds for divorce, the spouse who moved away must have done so voluntarily and, moreover, the petitioner who claims to be innocent must prove that the abandonment, i.e., the act of moving away, was not prompted by his or her conduct.

In our view, article 77 of the Family Code has eliminated the situation of inequality before the law which used to be a woman's lot simply by virtue of being a woman. By establishing that the conjugal home must be determined by

mutual agreement and that, if this is not done, the circumstances of each case must be taken into account, it ensures that the rights and duties of spouses to one another are equal and that the material truth is sought in every case. Rights and obligations become truly reciprocal.

This new article calling for the circumstances of each case to be taken into account breaks with the traditional view that it is the woman who must do the housework.

We refer to this point because we often see invoked in divorce proceedings the sixth grounds for divorce stipulated in article 212 of the Family Code, namely, complete abandonment of wifely duties; in some cases, the petition goes so far as to cite as evidence of abandonment and even cruelty the fact that "the wife does not obey her husband".

This is a clear indication that equality before the law is not the same thing as real equality, since in Panama there are people who claim that a woman must be unconditionally at her husband's disposal and therefore obey him, in a relationship of subordination, despite what the provisions of the Constitution recognizing equality of rights without distinction may say.

In many cases, witnesses do not cite facts which constitute evidence of abandonment of wifely duties, but simply say that Mr. X "doesn't have anyone to do the housework". This, to them, is evidence of abandonment, yet on its own it can never be interpreted as abandonment of wifely duties, since, as we have pointed out, in order for it to constitute such grounds other elements must be present.

In other cases, the petition for divorce on grounds of complete abandonment of wifely duties has argued that, since the wife is no longer living under the same roof as her husband, she cannot fulfil all the duties assigned to her, such as follow her husband wherever he establishes the conjugal home, or that the wife is failing in her duty to provide assistance, such as preparing her husband's meals, seeing to his clothes, being his constant companion, in other words, doing everything that a devoted wife is supposed to do for her husband, even though she works outside the home.

In other cases, abandonment is alleged even though it is not certain that a conjugal home was ever really determined. The First Superior Court of Justice, with Judge Jorge Isaac Iglesias presiding, stated the position clearly when it ruled that:

> "In this case, although they were bound in matrimony, the spouses did not adjust their conduct to a way of living (sharing a conjugal home) which is married life. At no time, however, can it be said that this was the sole responsibility of the wife, nor has it been proved that she voluntarily avoided this way of living and deliberately abandoned the duties incumbent upon her as a wife. Both parties had a responsibility to create conditions conducive to a normal married life. The greater share of such responsibility rested with the husband who is now claiming that the marriage has broken down irretrievably".

The criterion of the need to establish the guilt of the person accused of abandoning the duties of husband or wife was recently upheld by the Superior Court, which, ruling on 12 December 1995 in a divorce action based on de facto separation, stated that:

> "In studying the judgement which is being challenged, it is easy to grasp the plaintiff's position. It is clear that a mistake was made in weighing the evidence, for, as can easily be seen from the evidence presented, the plaintiff left his home voluntarily, thereby leaving his wife, and the judgement does not take that into account".

The Court felt that the declaration of guilt was not relevant, inasmuch as article 116 of the Civil Code states that either spouse, whether guilty or innocent, may bring an action for divorce based on de facto separation. The judicial precedents cited by the Court were valid in terms of the ability to bring legal action. It was a different matter when it came to article 121 of the Civil Code concerning maintenance, however, for there the Court had to determine whether, as the petitioner alleged, she deserved maintenance as provided for under that article; in this case the determination of guilt was relevant.

Article 121 of the Civil Code states that the judge may order the guilty party to pay maintenance which implies that such maintenance is awarded if the judge deems it appropriate.

In this case, the Court felt that, since the plaintiff's guilt with regard to the de facto separation had been established ... (emphasis added).

The Superior Court, in a judgement of 19 March 1996 concerning the grounds of complete abandonment of the duties of husband or wife and in connection with the need to establish what led to the separation of the spouses and with whom the burden of proof should rest stated:

> "... The grounds on which the divorce was requested, in the opinion of the Court, require far more than simply determining where the spouses' residence is. Simply demonstrating that the respondent does not live in her husband's home, without providing any explanation as to why that situation arose, does not entitle anyone to infer that the wife was guilty of abandonment of her wifely duties. As the Attorney General has quite rightly pointed out, there may be many different reasons for such a situation; nor is that any basis for arguing that it must be assumed that the wife, rather than the husband, was to blame. Moreover, there is no certainty as to whether the respondent is still living in the real conjugal home or whether the spouses are living apart simply for reasons of work or other reasons not necessarily attributable to one or other of them as grounds for divorce. If Mr. X wanted to obtain a divorce because his wife was guilty on the grounds envisaged in article 114, paragraph 7, of the Civil Code, it was up to him to prove that his wife was guilty".

As regards housework, it is important to mention that, not only has such work traditionally been assigned to women, but it is also not regarded as work,

even by women themselves, since it is a role that has been assigned to them for cultural reasons and to which no economic value is attached.

Often, when women are called on to make a statement in legal proceedings and they are asked, in accordance with the Judicial Code, to state their occupation or profession, for the record, they reply that they do not work, they are only housewives.

On this issue of the invisibility of housework, the Family Code actually breaks with traditional attitudes, in that it recognizes such work and assigns an economic value to it, so that a woman who does housework can ask for it to be recognized.

Thus, in referring to the separate property regime, article 128 of the Family Code states that: "... Housework done by either spouse shall be computed as a contribution to the upkeep of the household and shall entitle that spouse to compensation which, in the absence of agreement, shall be determined by the judge when the separate property regime comes to an end."

That article is also applicable to the participation in earnings regime, since article 104 of the Family Code specifies that "in all matters not provided for in this section, the rules governing the separate property regime shall apply, for as long as the regime of participation in earnings remains in effect".

Although progress has been made in terms of legislation, when proceedings are brought in which it is stated expressly that a divorce is being sought on the grounds that the wife does not obey the husband, or does not wash and iron his clothes or cook for him, it becomes clear that legislation per se is not enough but that the legislation must be publicized by means of plans and programmes involving all State bodies and all entities of civil society.

B. Act No. 27 of 16 June 1995

In a further effort to make good on the pledges it made in ratifying the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, by means of Act No. 12 of 20 April 1995 (Gaceta Oficial No. 22,768 of 24 April 1995), the Republic of Panama adopted Act. No. 27 of 16 June 1995. The Act characterizes domestic violence and child abuse as crimes; orders the establishment of specialized units to deal with victims of these crimes; amends and adds articles to the Penal Code and the Judicial Code; and adopts other measures. It marks one of the biggest advances made by Panama in it efforts to promote women's rights.

We say this because, although society accepted the fact that domestic violence was a problem that should be tackled, prior to the entry into force of Act No. 27 of 1995 there was nothing in our legislation making domestic violence and abuse a crime. Thus, when such incidents occurred, it was necessary to treat them as crimes of personal injury, with the result that proper legal and psychological assistance was not available.

The new law, which characterizes domestic violence and child abuse as crimes, is the result of realization of the need to elevate to the category of crimes the constant violations of family law to which women, children, adolescents and the elderly, being in most cases the most vulnerable groups in society, are particularly subject.

We realize that making domestic violence and child abuse crimes does not mean that they will automatically be eradicated.

Nevertheless, the Act is a step forward in ensuring respect for and recognition of the rights of women and members of the family, and it also seeks to ensure that attention is paid to the problem and steps are taken to deal with it.

Article 3 of Act No. 27 adds to article 215 A of the Penal Code by stipulating the following:

> "Any member of a family who physically or psychologically abuses another member shall be punished by six months to one year in prison, or ordered to undergo counselling, or both".

In the event of psychological abuse, duly verified by the Court psychiatrist, the primary abuser will be ordered to undergo counselling, in accordance with article 115 of the Penal Code, duly monitored by the Corrections Department.

> "In the event of failure to undergo counselling, the judge may replace that measure by six months to one year in prison".

Article 3 also defines what is meant by a member of the family, stating that the term covers:

> "Natural persons bound by ties of kinship or matrimony and persons living permanently with them, except for persons living with them on the basis of ties of a contractual nature".

Article 6 is another important part of the new legislation, in that it adds to article 215 D of the Penal Code by making public officials and private individuals responsible for reporting any of the crimes envisaged in the Act:

> "Any public official or private individual who is aware that an act characterized as domestic violence or child abuse has been committed and does not report it to the authorities shall be punished by a fine equal to 50 to 150 days' minimum wage".

This brings into play the judge's power of enforcement, namely "sufficient power or authority to enforce the order (recognizing a right or claim), bearing in mind that the primary goal is always the physical and psychological well-being of the family and the child. There is no point in the judge recognizing a right if the right does not materialize".

It is important to point out, in this connection, that reporting a crime of domestic violence to the authorities does not incur any responsibility for the person making the report, even if it is not proved that the crime was committed, since Act No. 27 of 16 June 1995 says as much in its article 6.

C. Act No. 22 of 7 December 1990

Since the adoption of this Act, when a woman in Panama marries, she may choose whether or not to take her husband's name when applying for her identity documents.

Prior to this, a woman had to take her husband's name when she married.

This right of married women to keep their own name and not to have to sign with their husband's name is also recognized in article 76 of the Family Code. This is yet another step forward in our legislation, since it recognizes the right of every human being to be treated as an individual. The wife is not the husband's property.

Although Act No. 22 has been in effect since 1990, women in Panama often do not take advantage of this right and continue to add their husband's name to their own.

This is the custom and the cultural model that has been handed down to us. As stated earlier, it was learned and passed down from generation to generation, which makes it difficult to change.

ANNEX I

DEFINITIONS

Life expectancy at birth: Average expected number of years of life at birth.

Masculinity index: Number of males for each 100 females.

Death: The permanent disappearance of all evidence of life at any time after a live birth.

Foetal death: Death prior to the complete expulsion or extraction from its mother of a product of conception, irrespective of the duration of pregnancy; death is signalled by the fact that, after such separation, the foetus does not breathe or show any sign of life, such as a heartbeat, pulsation of the umbilical cord or effective movement of voluntary muscles.

Infant deaths: Deaths of live-born infants who have not yet reached their first birthday.

Live birth: The complete expulsion or extraction from its mother, irrespective of the duration of pregnancy, of a product of conception which, after such separation, breathes or shows some other sign of life such as a heartbeat, pulsation of the umbilical cord or effective movement of voluntary muscles, whether or not the umbilical cord has been cut and whether or not the placenta is attached.

Rate: The relative frequency of the occurrence of a particular event within a given population, generally given per thousand.

Natural increase: The rate at which a population increases (or decreases) in one year owing to the surplus or deficit of births over deaths, expressed as a percentage of the average population for the same year.

Crude rate of increase: The rate at which a population increases (or decreases) in a given year owing to natural increase and net migration, expressed as a percentage of the average population.

Total fertility rate: The average number of children a woman would have during her lifetime if she were to experience the age-specific fertility rates of a given fertility table.

Infant mortality rate: Refers exclusively to the ratio of deaths in one year of live-born infants who have not yet reached their first birthday to the total number of live births the same year.

Crude death rate: The ratio of deaths in a population in a given year to the average population for the same year.

Crude birth rate: The ratio of live births in a population in a given year to the average population for the same year.

Sectors of economic activity:

Primary sector: Agriculture, hunting, forestry and fishing.

Secondary sector: Mining and quarrying, manufacturing, electricity, gas and water, and construction.

Tertiary sector: Wholesale and retail trade, restaurants and hotels; transport, storage and communications; finance, insurance, real estate and business services; community, social and personal services.

Republic of Panama

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Table 1. Estimated population, by area and sex
(1995-2000 and 2005)

Area and sex	Population as at 1 July						
	1995	1996	1997	1998	1999	2000	2005
Total	2 631 013	2 674 490	2 718 686	2 763 612	2 809 280	2 855 703	3 067 480
Male	1 330 145	1 351 574	1 373 349	1 395 475	1 417 957	1 440 801	1 544 703
Female	1 300 868	1 322 916	1 345 337	1 368 137	1 391 323	1 414 902	1 522 777
Masculinity ratio	102.3	102.2	102.1	102.0	101.9	101.8	101.4
Urban	1 444 622	1 476 665	1 508 703	1 540 742	1 572 780	1 604 823	1 763 862
Male	704 231	719 973	735 709	751 450	767 186	782 928	860 798
Female	740 391	756 692	772 994	789 292	805 594	821 895	903 064
Masculinity ratio	95.1	95.1	95.2	95.2	95.2	95.3	95.3
Rural	1 186 391	1 197 825	1 209 983	1 222 870	1 203 500	1 250 880	1 303 616
Male	625 914	631 601	637 640	644 025	650 771	657 873	683 904
Female	560 477	566 224	572 343	578 845	585 729	593 007	619 712
Masculinity ratio	111.7	111.5	111.4	111.3	111.1	110.9	110.4

Source: Demographic Analysis Section, Department of Statistics and Census.

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Department of Statistics and Census

Table 2. Some demographic indicators for quinquenniums 1990-1995, 1995-2000 and 2000-2005

Indicators	Quinquenniums		
	1990-1995	1995-2000	2000-2005
Crude birth rate	24.96	22.51	20.34
Crude death rate	5.28	5.12	5.09
Infant mortality rate	25.10	21.40	18.60
Natural increase	19.68	17.39	15.24
Total growth rate	1.86	1.64	1.43
Total fertility rate	2.88	2.62	2.42
Life expectancy at birth (total)	72.90	74.00	74.90
Life expectancy at birth (male)	70.90	71.80	72.60
Life expectancy at birth (female)	75.00	76.40	77.30

Source: Demographic Analysis Section, Department of Statistics and Census.

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Department of Statistics and Census

Table 3. Vital statistics by sex, 1994

Category	Total	Sex	
		Male	Female
Live births	59 947	30 631	29 316
Foetal deaths (a)	8 668	501	435
General death rate (1)	10 983	6 482	4 501
Infant mortality	1 080	612	468
Marriages	13 523	–	–
Divorces	2 140	–	–

(a) Including 7.732 foetal deaths of unspecified sex.

(1) Excluding foetal deaths.

Source: Vital statistics Section, Department of Statistics and Census.

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Department of Statistics and Census

Table 4. Principal causes of death, by sex, 1994 (a)

Cause (1)	Total	Sex	
		Male	Female
Total	10 983	6 482	4 501
Accidents, suicide, homicide and other violence	1 506	1 242	264
Malignant neoplasms	1 479	805	674
Cerebrovascular disease	1 185	636	549
Acute myocardial infarction	742	446	296
Certain conditions originating in the perinatal period	504	303	201
Other ischaemic heart disease	439	224	215
Pulmonary circulation diseases and other forms of heart disease	430	232	198
Diabetes mellitus	367	152	215
Pneumonia	327	187	140
Congenital anomalies	288	144	144
Other causes	3 716	2 111	1 605

(1) Based on Mortality List, International Classification of Diseases, Ninth Revision.

(a) Preliminary figures.

Source: Vital Statistics Section, Department of Statistics and Census.

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Table 5. Social enrolment, by sex and level of education, 1995 (a)

Level of education	Enrolment		
		Sex	
	Total	Male	Female
Total	654 310	325 726	328 584
Primary	362 142	189 083	173 059
Secondary	216 217	105 629	110 588
University	75 951	31 014	44 937

(a) Preliminary figures.

Source: Data provided by the Statistics and Documentation Office of the Ministry of Education, the University of Panama, the Technological University of Panama, Santa Maria La Antigua University and the University of the Isthmus to the Social Statistics Section, Department of Statistics and Census.

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Table 6. Graduates, by sex and level of education, 1995 (a)

Level of education	Graduates		
		Sex	
	Total	Male	Female
Total	99 695	47 419	52 276
Primary	52 950	26 634	26 316
Secondary	42 905	19 779	23 126
University	3 840	1 006	2 834

(a) Preliminary figures.

Source: Data provided by the Statistics and Documentation Office of the Ministry of Education, the University of Panama, the Technological University of Panama, Santa Maria La Antigua University and the University of the Isthmus to the Social Statistics Section, Department of Statistics and Census.

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Table 7. Arrivals in country, by sex and category, 1995 (a)

Category	Number of persons arriving		
		Sex	
	Total	Male	Female
Total	582 845	365 562	217 283
Visitors	393 841	253 852	139 989
Tourists	379 387	244 268	135 119
Business travellers	14 454	9 584	4 870
Short-stay visitors	1 450	916	534
Immigrants	2 767	1 795	972
Residents	156 222	89 235	66 987
Panamanian	122 431	68 085	54 346
Foreign	33 791	21 150	12 641
To Panama Canal Zone	28 565	19 764	8 801

(a) Preliminary figures.

Source: Figures provided by the Migration and Naturalization Service, Ministry of the Interior and Justice, Republic of Panama, to the Social Statistics Section, Department of Statistics and Census.

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Table 8. Traffic fatalities, by sex and type of victim, 1995

Type of victim	Total	Sex	
		Male	Female
Total	455	364	91
Pedestrians	196	149	47
Drivers	131	126	5
Passengers	128	89	39

Source: Data provided by the Department of Transportation to the Social Statistics Section, Department of Statistics and Census.

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Department of Statistics and Census

Table 9. Recorded population of the Republic of Panama, by sex and area, 1990

Characteristics	Total	Sex	
		Male	Female
Total	2 329 329	1 178 790	1 150 539
Masculinity ratio	102.5		
Urban	1 251 555	607 025	644 530
Masculinity ratio	94.2		
Rural	1 077 774	571 765	506 009
Masculinity ratio	113.0		

Source: National Population and Housing Census, final basic expanded results, general characteristics of the population, vol. II.

Republic of Panama

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Table 9a. Recorded indigenous population of the Republic of Panama, by sex and indigenous group, 1990

Indigenous group	Total	Sex	
		Male	Female
Total	194 269	100 149	94 120
Masculinity ratio	106.4		
Kuna	47 298	23 738	23 560
Guaymí	123 626	64 404	59 222
Teribe	2 194	1 173	1 021
Bokota	3 784	1 896	1 888
Emberá	14 659	7 576	7 083
Waunana	2 605	1 321	1 284
Not available	103	41	62

Source: National Population and Housing Census, final basic expanded results, general characteristics of the population, vol. II.

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Table 10. Population aged 6 and over, by sex and level of education, 1990

Level of education	Total	Sex	
		Male	Female
Total	1 987 984	1 003 978	984 006
No primary education	197 649	95 282	102 367
Some primary education	929 355	490 723	438 632
Some secondary education	616 468	301 369	315 099
Some university education	162 163	74 776	87 387
Not declared	25 661	12 516	13 145
Average number of years of schooling successfully completed	6.7	6.6	6.8

Source: National Population and Housing Census, final basic expanded results, general characteristics of the population, vol. II.

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Table 10a. Indigenous population aged 6 and over, by sex and level of education, 1990

Level of education	Total	Sex	
		Male	Female
Total	153 550	79 297	74 253
No education	63 604	27 356	36 248
Some primary education	6 ' 218	38 054	29 164
Some secondary education	16 494	10 878	5 616
Some university education	1 182	848	334
Not declared	5 052	2 161	2 891
Average number of years of schooling successfully completed	3.0	3.5	6.8

Source: National Population and Housing Census, final basic expanded results, general characteristics of the population, vol. II.

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Table 10b. Average number of years of education of the indigenous population aged 6 and over, by sex and indigenous group, 1990

Level of education	Total	Sex	
		Male	Female
Total	3.0	3.5	2.5
Kuna	4.4	5.2	3.6
Guaymí	2.4	2.8	2.0
Teribe	3.8	4.0	3.6
Bokota	2.7	3.2	2.2
Emberá	2.8	3.4	2.3
Waunana	2.8	3.3	2.3
Not declared	7.3	7.1	7.4

Source: National Population and Housing Census, final basic expanded results, general characteristics of the population, vol. II.

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Table 11. Total literate and illiterate national population and indigenous population aged 6 and over, by sex, 1990

Categories	Total	Sex	
		Male	Female
National population	1 769 488	892 588	876 900
Literate	1 569 528	795 419	774 109
Illiterate	199 960	97 169	102 791
Percentage of illiterates	11.3	10.9	11.7
Indigenous population	128 188	66 291	61 897
Literate	69 486	41 643	27 843
Illiterate	56 744	23 808	32 936
Percentage of illiterates	44.3	35.9	53.2

Source: National Population and Housing Census, final basic expanded results, general characteristics of the population, vol. II.

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Table 11a. Indigenous population aged 10 and over, by sex and indigenous group, 1990

Indigenous group	Total	Sex	
		Male	Female
Total	44.3	35.9	53.2
Kuna	33.2	22.5	44.0
Guaymí	49.5	41.9	57.8
Teribe	26.7	25.2	28.5
Bokota	51.4	41.7	61.4
Emberá	42.6	33.2	52.6
Waunana	43.6	34.7	53.2
Not specified	6.8	12.5	3.6

Source: National Population and Housing Census, final basic expanded results, general characteristics of the population, vol. II.

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Table 12. Population aged 15 and over, by sex and marital status, 1990

Marital status	Total	Sex	
		Male	Female
Total	1 515 382	763 054	752 328
Single	508 171	298 411	209 760
Married	415 000	206 049	208 951
Cohabiting	409 045	199 189	209 856
Widowed	53 344	13 107	40 237
Separated after cohabiting	82 287	29 450	52 837
Separated after marriage	32 604	11 944	20 660
Divorced	14 931	4 904	10 027

Source: National Population and Housing Census, final basic expanded results, general characteristics of the population, vol. II.

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Department of Statistics and Census

Table 12a. Indigenous population aged 15 and over, by sex and marital status, 1990

Marital status	Total	Sex	
		Male	Female
Total	103 189	53 306	49 883
Single	24 289	17 041	7 248
Married	12 159	6 122	6 037
Cohabiting	57 640	26 959	30 681
Widowed	3 502	1 025	2 477
Separated after cohabiting	4 679	1 774	2 905
Separated after marriage	580	256	324
Divorced	340	129	211

Source: National Population and Housing Census, final basic expanded results, general characteristics of the population, vol. II.

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Table 13. Population living in private homes, by sex of head of household and relationship to head of household, 1990

Relationship to head of household	Total	Sex	
		Male	Female
Total	2 307 310	1 847 605	459 705
Head (number of households)	526 456	409 297	117 159
Spouse of head of household	330 395	325 110	5 285
Children	997 091	790 235	206 856
Other relatives	381 763	266 407	115 356
Non-relatives	71 601	56 551	15 050
Average size of household	4.4	4.5	3.9

Source: National Population and Housing Census, final basic expanded results, dwellings and households, vol. II.

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Table 14. Heads of private household by sex and level of education, 1990

Level of education	Total	Sex	
		Male	Female
Total	526 204	409 094	117 110
No education	56 092	43 438	12 654
Some primary education	233 292	186 013	47 279
Some secondary education	148 933	113 334	35 599
Some university education	57 936	44 090	13 846
Post-graduate	4 398	3 693	705
Vocational	19 932	14 297	5 635
Not declared	5 621	4 229	1 392

Source: National Population and Housing Census, final basic expanded results, dwellings and households, vol. II.

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Table 15. Heads of private household, by sex of head of household and monthly family income, 1990

Family income	Total	Sex	
		Male	Female
Total	459 431	356 910	102 521
Less than 99	133 386	98 163	35 223
100-249	99 548	76 626	22 922
250-399	67 109	53 241	13 868
400-599	55 161	42 694	12 467
600-799	32 457	25 797	6 660
800-999	20 634	16 828	3 806
1,000 and above	51 136	43 561	7 575
Not known	67 025	52 387	14 638
Average income	244.6	260.3	196.7

Source: National Population and Housing Census, final basic expanded results, dwellings and households, vol. II.

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Table 16. Population aged 10 and over, by sex and employment status, 1990

Employment	Total	Sex	
		Male	Female
Total	1 769 488	892 588	876 900
Economically active population	839 695	594 408	245 287
Rate of economic activity (per 100 persons):			
Total	47.5	66.6	28.0
Urban	48.5	62.2	35.9
Rural	46.2	71.5	16.7
Employed	741 567	532 281	209 286
Average monthly wage	200.8	196.2	212.1
Unemployed	98 128	62 127	36 001
Percentage unemployment	11.7	10.5	14.7
Non-economically active population	929 793	298 180	631 613

Source: National Population and Housing Census, final basic expanded results, economic characteristics, vol. IV.

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Table 17. Economically active population aged 10 and over by sex and sector of activity, 1990

Sector of activity	Total	Sex	
		Male	Female
Nationwide	805 843	575 598	230 245
Primary sector	221 098	210 904	10 194
Secondary sector	121 836	95 034	26 802
Tertiary sector	426 453	244 265	182 188
Activity not clearly specified	36 456	25 395	11 061
Urban areas	459 291	284 212	175 079
Primary sector	19 075	18 068	1 007
Secondary sector	82 405	64 346	18 059
Tertiary sector	336 452	188 203	148 249
Activity not clearly specified	21 359	13 595	7 764
Rural areas	346 552	291 386	55 166
Primary sector	202 023	192 836	9 187
Secondary sector	39 431	30 688	8 743
Tertiary sector	90 001	56 062	33 939
Activity not clearly specified	15 097	11 800	3 297

Source: National Population and Housing Census, final basic expanded results, economic characteristics, vol. IV.

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Table 18. Non-economically active population aged 10 and over, by sex and status, 1990

Status	Total	Sex	
		Male	Female
Total	929 793	298 180	631 613
Housewife	365 688	0	365 688
Student	380 475	189 274	191 201
Retiree, pensioner, person of independent means	68 171	39 710	28 461
Other status	111 758	66 188	45 570
In communal housing	3 701	3 008	693

Source: National Population and Housing Census, final basic expanded results, economic characteristics, vol. IV.

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Table 19. Live births and surviving children born to women aged 15 and over in the national population and the indigenous population, 1990

Characteristics	Total
National population	
Total number of women aged 15 and over	751 134
With children	530 075
Without children	168 082
Not declared	52 977
Total number of live births	2 093 678
Average per woman	2.8
Total number of surviving children	1 910 906
Average per woman	2.5
Indigenous population	
Total number of women aged 15 and over	49 878
With children	39 193
Without children	7 692
Not declared	2 993
Total number of live births	192 512
Average per woman	3.9
Total number of surviving children	157 912
Average per woman	3.2

Source: National Population and Housing Census, results.

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Table 20. Live births born to women aged 15 and over, by level of education and marital status, 1990

Level of education	Number of		Average number of children per woman
	Women	Children	
Total	751 623	2 093 981	2.8
No education	72 980	403 515	5.5
Some primary education	271 348	1 024 358	3.8
Some secondary education	282 712	453 661	1.6
Some university education	87 876	110 486	1.3
Postgraduate	2 475	4 243	1.7
Vocational	24 901	62 686	2.5
Not specified	9 331	35 032	3.8
Marital status			
Total	751 134	2 093 678	2.8
Cohabiting	209 781	779 566	3.7
Separated after marriage	20 631	74 203	3.6
Separated after cohabiting	52 793	188 715	3.6
Married	208 488	727 771	3.5
Divorced	9 985	26 643	2.7
Widowed	40 172	210 321	5.2
Single	209 284	86 459	0.4

Source: National Population and Housing Census, final basic expounded results, migration and fertility, vol. V.

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Table 21. Population aged 15 and over, by sex, occupational status and area, 1995 household survey

Occupational status and area	Population		
		Sex	
	Total	Male	Female
Nationwide	1 632 355	807 271	825 084
Economically active	1 006 147	656 935	349 212
Employed	867 915	586 978	280 937
Unemployed	138 232	69 957	68 275
Non-economically active	626 208	150 336	475 872
Retiree or pensioner	82 720	44 476	38 244
Student	165 161	72 075	93 086
Housewife	324 615	63	324 552
Other	53 712	33 722	19 990
Urban areas	1 028 553	486 372	542 181
Economically active	647 044	380 602	266 442
Employed	543 130	328 978	214 152
Unemployed	103 914	51 624	52 290
Non-economically active	381 509	105 770	275 739
Retiree or pensioner	69 399	34 752	34 647
Student	126 485	54 814	71 671
Housewife	156 977	63	156 914
Other	28 648	16 140	12 508
Rural areas	603 802	320 899	282 903
Economically active	359 103	276 333	82 770
Employed	324 785	258 000	66 785
Unemployed	34 318	18 333	15 985
Non-economically active	244 699	44 566	200 133
Retiree or pensioner	13 321	9 724	3 597
Student	38 676	17 261	21 415
Housewife	167 638	0	167 638
Other	25 064	17 582	7 482

Source: Population and Housing Section, Department of Statistics and Census.

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Table 22. Population aged 15 and over, by sex, type of work and area. 1995 household survey

Type of work and area	Population	Sex	
	Total	Male	Female
Nationwide	867 918	586 378	281 537
Employees	588 579	360 183	228 396
Government	162 438	84 158	78 280
Private enterprise	356 052	256 593	99 459
Domestic service	52 776	8 793	44 983
Canal Zone	17 313	13 939	3 374
Self employed	216 867	176 939	39 928
Employer	26 894	22 574	4 320
Family worker	35 578	26 982	8 596
Urban areas	543 130	328 978	214 152
Employees	431 659	243 371	188 288
Government	128 110	84 749	43 361
Private enterprise	247 930	162 864	85 066
Domestic service	19 288	2 734	16 554
Canal Zone	16 331	13 024	3 307
Self-employed	83 332	63 301	20 031
Employer	16 907	13 635	3 272
Family worker	5 242	2 671	2 571
Rural areas	324 785	258 000	66 785
Employees	156 920	117 112	39 808
Government	34 328	19 409	14 919
Private enterprise	108 122	93 729	14 391
Domestic service	13 488	3 059	10 429
Canal zone	982	915	67
Self-employed	127 545	107 638	19 907
Employer	9 987	8 939	1 048
Family worker	30 333	24 311	6 022

Source: Population and Housing Section, Department of Statistics and Census.

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Table 23. Population aged 15 and over, by sex, branch of economic activity and area, 1995 household survey

Branch of economic activity and area	Employed			Unemployed		
		Sex			Sex	
	Total	Male	Female	Total	Male	Female
Nationwide	867 915	586 978	280 937	138 232	69 957	68 275
Agriculture, hunting and forestry	171 885	162 974	8 911	4 413	4 025	388
Fishing	8 319	8 065	254	614	614	0
Mining and quarrying	2 188	1 451	737	430	430	0
Manufacturing	90 734	64 085	26 649	15 087	8 224	6 863
Electricity, gas and water	9 091	6 970	2 121	1 423	1 300	123
Construction	54 121	53 198	923	11 894	11 694	200
Wholesale/retail trade and repair of motor cars, motorcycles and personal and household effects	152 573	98 353	54 220	27 050	14 842	12 208
Hotels and restaurants	26 711	12 802	13 909	6 264	2 134	4 130
Transport, storage and communications	64 044	55 036	9 008	4 166	1 180	2 986
Finance	19 666	8 795	10 871	1 621	714	907
Real estate business and rentals	26 816	17 770	9 046	3 936	2 524	1 412
Public administration, social protection and compulsory social security schemes	62 441	36 230	26 211	8 381	3 718	4 663
Teaching	50 068	17 525	32 543	3 380	713	2 667
Social and health-care services	25 451	8 598	16 853	1 903	403	1 500
Other community, social and personal services	45 157	24 843	20 314	5 627	3 291	2 336
Domestic service in private homes	52 776	5 793	46 983	13 117	741	12 376
Non-national organizations and agencies	4 968	3 674	1 294	553	463	90
Activities not clearly specified	906	816	90	0	0	0
Never worked	0	0	0	32 369	15 007	17 362
Urban areas	543 130	328 978	214 152	103 914	51 624	52 290
Agriculture, hunting and forestry	15 175	13 678	1 497	1 303	1 169	134
Fishing	2 886	2 727	159	376	376	0
Mining and quarrying	1 322	873	449	173	173	0

Branch of economic activity and area	Employed			Unemployed		
		Sex			Sex	
	Total	Male	Female	Total	Male	Female
Manufacturing	64 164	45 815	18 349	12 772	6 836	5 936
Electricity, gas and water	7 482	5 577	1 905	1 008	885	121
Construction	36 806	35 950	856	8 692	8 484	208
Wholesale/retail trade and repair of motor cars, motorcycles and personal and household effects	116 961	75 631	41 330	18 591	8 605	9 986
Hotels and restaurants	20 143	9 913	10 230	5 149	1 785	3 364
Transport, storage and communications	51 220	43 064	8 156	3 448	2 412	1 036
Finance	18 570	8 150	10 420	1 544	665	879
Real estate business and rentals	24 341	15 757	8 584	3 330	2 035	1 295
Public administration, social protection and compulsory social security schemes	49 338	27 844	21 494	6 975	3 265	3 710
Teaching	38 599	13 497	25 102	2 967	807	3 160
Social and health-care services	21 208	6 971	14 237	1 395	336	1 059
Other community, social and personal services	30 120	16 674	13 446	4 191	2 178	2 013
Domestic service in private homes	39 288	2 734	36 554	7 938	90	7 848
Non-national organizations and agencies	4 779	3 485	1 294	553	463	90
Activities not clearly specified	728	638	90	0	0	0
Never worked	0	0	0	23 549	11 100	12 249
Rural areas	324 785	258 000	66 785	34 318	18 333	15 985
Agriculture, hunting and forestry	156 710	149 296	7 414	3 110	2 856	254
Fishing	5 433	5 338	95	238	238	0
Mining and quarrying	866	578	288	257	257	0
Manufacturing	26 570	18 270	8 300	2 315	1 388	927
Electricity, gas and water	1 609	1 393	216	415	415	0
Construction	17 315	17 248	67	3 202	3 202	0
Wholesale/retail trade and repair of motor cars, motorcycles and personal and household effects	35 612	22 722	12 890	4 459	2 237	2 222
Hotels and restaurants	6 568	2 889	3 679	1 115	349	766
Transport, storage and communications	12 824	11 972	852	718	718	0
Finance	1 096	645	451	77	49	28
Real estate business and rentals	2 475	2 013	462	606	489	117

Branch of economic activity and area	Employed			Unemployed		
		Sex			Sex	
	Total	Male	Female	Total	Male	Female
Public administration, social protection and compulsory social security schemes	13 [illegible]	8 386	4 747	1 [illegible]	[illegible]	[illegible]
Teaching	11 469	4 [illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Social and health-care services	4 241	1 637	2 [illegible]	[illegible]	[illegible]	[illegible]
Other community, social and personal services	15 [illegible]	8 [illegible]	6 [illegible]	[illegible]	[illegible]	[illegible]
Domestic service in private homes	13 484	3 [illegible]	10 [illegible]	[illegible]	[illegible]	[illegible]
Non-national organizations and agencies	183	183	0	0	0	0
Activities not clearly specified	178	178	0	0	0	0
Never worked	0	0	0	[illegible]	[illegible]	[illegible]

Source: Population and Housing Section, Department of Statistics and Census.

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Table 24. Employed workers by sex, workers' wages in manufacturing firms and type of worker, 1992 economic census

Type of worker	Total	Male	Female	Wages (in 1000 balboas)
Total	41 753	30 736	11 017	23 104
Employers and working partners without fixed remuneration	526	397	129	-
Family and other unpaid workers	245	147	98	-
Employees:	40 982	30 192	10 790	23 104
Administrative and office workers	6 184	3 520	2 664	6 171
Managers, administrators and supervisory staff	2 174	1 717	457	3 524
Office workers	4 010	1 803	2 207	2 647
Professional and technical staff	1 717	1 410	307	2 635
Factory and unskilled workers	29 524	22 530	6 994	12 699
Craftsmen and factory workers:	20 249	14 455	5 794	9 296
Construction equipment and heavy equipment operators	487	484	3	249
Craftsmen and similar workers	19 762	13 971	5 791	9 048
Skilled and similar workers	17 889	12 508	5 381	8 433
Apprentices	1 873	1 463	410	615
Unskilled workers and day labourers (manual workers or assistants)	9 275	8 075	1 200	3 403
Salespersons	1 545	988	557	803
Transport drivers	814	807	7	377
Personal service workers	1 198	937	261	419

Source: Economic Survey Section, Department of Statistics and Census.

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Table 25. Employed workers by sex, workers' wages in construction firms and type of worker, 1992 economic census

Type of worker	Total	Male	Female	Wages (in 1000 balboas)
Total	8 985	8 632	353	4 100
Employers and working partners without fixed remuneration	72	66	6	-
Family and other unpaid workers	22	15	7	
Employees	8 891	8 551	340	4 100
Administrative and office workers	898	616	282	663
Managers, administrators and supervisory staff	196	166	30	214
Office workers	354	102	252	187
Foremen and overseers	348	348	0	262
Professional and technical staff	400	359	41	346
Factory and unskilled workers	7 105	7 096	9	2 852
Craftsmen and factory workers:	3 517	3 515	2	1 632
Construction equipment and heavy equipment operators	642	642	0	377
Craftsmen and similar workers	2 875	2 873	2	1 254
Skilled and similar workers	2 601	2 600	1	1 177
Apprentices	274	273	1	77
Unskilled workers and day labourers (manual workers or assistants)	3 588	3 581	7	1 220
Salespersons	10	7	3	8
Transport drivers	249	248	1	135
Personal service workers	229	225	4	96

Source: Economic Survey Section, Department of Statistics and Census.

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Office of the Comptroller General of the Republic

Department of Statistics and Census

Table 26 Population living in farming households, by sex, age group and size of farm, 1991 agricultural census

Size of farm (in hectares)	Total number of households	Total population	Male			Female		
			Total	Under age 15	Aged 15 and over	Total	Under age 15	Aged 15 and over
Total	207 847	994 056	520 803	189 542	331 261	473 253	175 114	298 139
Less than 0.1	61 497	298 377	143 199	51 565	83 634	155 178	54 474	100 704
0.1-0.19	11 569	54 733	27 442	9 595	17 847	27 291	9 801	17 490
0.2-0.49	10 896	48 727	24 805	9 220	15 585	23 922	8 562	15 360
0.5-0.9	14 489	66 024	34 249	13 044	21 205	31 775	12 138	19 637
1.0-1.9	23 781	111 591	58 890	22 457	36 433	52 641	20 931	31 710
2.0-2.9	14 033	66 279	36 805	14 314	22 488	31 475	12 976	18 499
3.0-3.9	8 534	41 801	22 577	8 557	14 020	19 224	7 705	11 519
4.0-4.9	5 514	27 386	14 424	5 550	8 874	12 962	5 180	7 782
5.0-9.9	15 720	78 303	42 607	15 206	27 401	35 696	13 242	22 454
10.0-19.9	14 582	72 722	39 953	13 528	26 425	32 769	10 340	22 429
20.0-49.9	15 526	78 229	43 129	14 300	28 829	35 100	12 920	22 180
50.0-99.9	7 497	37 316	20 768	6 739	14 029	16 548	6 317	10 231
100.0-199.9	2 841	13 854	7 850	2 351	5 449	6 004	2 472	3 532
200.0-499.9	1 186	5 806	3 217	893	2 324	2 589	858	1 731
500.0-999.9	148	804	456	117	339	348	111	237
1 000.0-2 499.9	29	138	78	23	55	60	21	39
2 500.0 and over	1	14	9	1	8	5	2	3

Source: Agricultural Census Section, Department of Statistics and Census

Republic of Panama

Office of the Comptroller General of the Republic

Department of Statistics and Census

Table 27. Population living in farming households and working primarily on or off the farm, by sex and size of farm, 1991 agricultural census

Size of farm (in hectares)	Population living in farming households			Working					
				On the farm			Off the farm		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
Total	494 056	520 803	473 253	218 238	167 178	51 060	157 140	107 512	49 628
Less than 0.1	288 377	143 199	145 178	25 344	14 569	10 775	70 597	48 325	22 272
0.1-0.19	54 733	27 442	27 291	6 146	3 869	2 277	13 054	8 934	4 120
0.2-0.49	48 727	24 805	23 922	7 068	4 800	2 268	10 123	7 229	2 894
0.5-0.9	66 024	34 249	31 775	11 622	8 554	3 068	11 497	8 408	3 089
1.0-1.9	111 531	58 890	52 641	25 616	20 041	5 575	15 262	11 122	4 140
2.0-2.9	68 279	36 800	31 479	19 045	15 184	3 861	7 276	5 012	2 264
3.0-3.9	41 801	22 577	19 224	12 579	10 077	2 502	4 167	2 742	1 425
4.0-4.9	27 398	14 824	12 574	8 459	6 771	1 688	2 617	1 781	836
5.0-9.9	78 303	42 607	35 696	25 700	20 635	5 065	7 216	4 519	2 697
10.0-19.9	72 722	39 953	32 769	25 483	20 708	4 775	5 726	3 633	2 096
20.0-49.9	78 229	43 129	35 100	28 553	23 335	5 218	5 838	3 498	2 340
50.0-99.9	37 316	20 768	16 548	14 269	11 789	2 490	2 499	1 457	1 042
100.0-199.9	13 854	7 800	6 054	5 567	4 590	977	939	531	408
200.0-499.9	5 806	3 217	2 589	2 360	1 916	444	450	262	188
500.0-999.9	804	456	348	350	280	70	70	37	33
1,000.0-2,499.9	138	78	60	49	42	7	9	5	4
2,500.0 and over	14	9	5	8	8	0	-	-	-

Source: Agricultural Census Section, Department of Statistics and Census.

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ANNEX II

NOTE: The author has brought actions of unconstitutionality against various discriminatory articles in a number of codes in force, and has obtained the following favourable judgements:

JUDGEMENTS OF THE SUPREME COURT

1. Judgement of 19 January 1994, whereby the Supreme Court of Justice declares that article 27 of the Commercial Code is unconstitutional. (Reporting judge: Ms. Aura Guerra de Villalaz)

2. Judgement of 8 February 1994, whereby the Supreme Court of Justice declares that article 26, second sentence, of the Commercial Code is unconstitutional. (Reporting judge: Ms. Mirtza de Aguilera)

3. Judgement of 29 April 1994, whereby the Supreme Court of Justice declares that the entire text of article 104, paragraphs 1 and 2, of the Labour Code, referring to "dangerous activities", is unconstitutional. (Reporting judge: Mr. Rodrigo Molina)

4. Judgement of 12 July 1994, whereby the Supreme Court of Justice declares that article 31 of the Commercial Code is unconstitutional. (Reporting judge: Mr. Arturo Hoyos)

5. Judgement of 12 August 1994, whereby the Supreme Court of Justice declares that article 9 of the Commercial Code is unconstitutional. (Reporting judge: Mr. Raúl Trujillo)

6. Judgement of 5 September 1994, whereby the Supreme Court of Justice declares that article 139 of the Civil Code is unconstitutional. (Reporting judge: Ms. Aura Guerra de Villalaz)

7. Judgement of 26 October 1994, whereby the Supreme Court of Justice declares that article 217 of the Civil Code is unconstitutional. (Reporting judge: Mr. Arturo Hoyos)

8. Judgement of 27 October 1994, whereby the Supreme Court of Justice declares that articles 1192 and 1193 of the Civil Code are unconstitutional. (Reporting judge: Mr. E. Molino M.)

9. Judgement of 12 May 1995, whereby the Supreme Court of Justice declares that article 212, paragraph 10, subparagraph 1, of the Family Code is unconstitutional. (Reporting judge: Mr. Carlos E. Muñoz Pope)

10. Judgement of 29 September 1995, whereby the Supreme Court of Justice declares that article 641, paragraph 5, of the Civil Code is unconstitutional. (Reporting judge: Mr. Carlos E. Muñoz Pope)

11. Judgement of 23 November 1995, whereby the Supreme Court of Justice declares that article 775 of the Family Code is partially unconstitutional. (Reporting judge: Mr. E. Molino M.)

12. Judgement of 16 February 1996, whereby the Supreme Court of Justice declares that various phrases of articles 1246, 1252 and 1257 of the Administrative Code are unconstitutional. (Reporting judge: Ms. Mirtza Franceschi de Aguilera).

COMMERCIAL CODE (articles 9, 26, 27 and 31)

Article 9: A woman who executes any commercial document on her own account or in association with other persons may not claim any benefit granted under foreign law to persons of her sex against the consequences of the commercial documents executed by her.

Article 26: Persons who have attained the age of majority may validate obligations entered into under commercial documents executed by them as minors. Mercantile documents executed by a woman without her husband's express or tacit authorization shall also be valid when they are subsequently endorsed by the husband.

Article 27: A declaration of annulment of a marriage shall revalidate commercial documents executed by a woman without her husband's authorization.

Article 31: A married woman shall not be considered a merchant unless she conducts business separately from or in partnership with her husband.

ADMINISTRATIVE CODE (articles 1246, 1252 and 1257)

Article 1246: An individual who gambles with inebriated, deranged or insane persons or with women, members of the police force or minors and wins something from them, despite being aware of the condition, status or age of such persons, shall be subject to a penalty of two to six months' labour on public works and shall return his winnings, without prejudice to any other penalties which he may have incurred, as applicable.

The same penalty of two to six months' labour on public works shall apply to the owner or person in charge of the establishment, if he knowingly allowed gambling.

Article 1252: The following persons may not be admitted to gambling establishments: minors, women, military personnel, police officers other than those assigned to monitor the establishment, and domestic servants.

The owner or person in charge of an establishment in which this provision is violated shall incur a fine of one to 10 balboas each time he admits anyone from the above-mentioned categories.

Article 1257: If the police find in an authorized gambling establishment persons who should not be admitted thereto, such as minors, deranged or insane persons, domestic employees and women, they shall escort such persons to their

respective domiciles, and shall caution the persons responsible for them to monitor their conduct more closely. If they are military personnel or police officers, a report shall be sent to the appropriate chief.

In the case of a first repeat offence by women, insane persons, minors or domestic employees, the applicable penalty shall be a warning. If a minor, a domestic employee, a woman or an insane person is not dependent on anyone else, the caution, warning and fine shall apply to that person directly.

CIVIL CODE (articles 139, 217, 641, 1192 and 1193)

Article 139: A woman who has children under her parental authority or under her guardianship from a prior marriage which has been dissolved or annulled and who wishes to remarry shall request the competent authority to appoint a guardian for the children or to replace her in her functions as guardian. Unless a guardian has been appointed or she has been replaced as guardian, she may not marry; if she does marry, she shall incur the same penalty as that specified in article 138.

Article 217. A father who recognizes an illegitimate child may omit from the child's name the name of the woman who bore him/her.

Article 641. The following persons shall be disqualified from succession because of unworthiness:

1. Parents who abandon their children or prostitute their daughters or violate their modesty;

2. A person who has been convicted of an attempt on the life of the testator, his spouse, his descendants or his ascendants;

3. A person who has accused the testator of a crime to which the law applies an afflictive punishment, when the accusation is found to be defamatory;

4. An heir who has reached the age of majority and who, knowing that the testator met a violent death, has not reported it to the authorities within one month, when the authorities have not already taken action on their own;

This obligation shall cease in cases where, by law, there is no obligation to make an accusation;

5. A person who has been sentenced for adultery with the wife of the testator;

6. A person who, through threats, fraud or violence, forces the testator to make or change a will;

7. A person who, by similar means, prevents another person from making a will, revokes the will which that other person has made, or replaces, conceals or alters a later will;

8. A relative of the deceased who, when the latter was insane or abandoned, did not take him in or arrange for him to be taken in.

Article 1192. The husband is the administrator of the joint property, unless otherwise provided in the marriage contract.

Article 1193. In addition to his powers as administrator, the husband may dispose of and, in return for payment, obligate the joint property without his wife's consent.

However, any disposal of the joint property or agreement thereon by the husband which contravenes this Code or defrauds the wife shall not cause prejudice to her or the heirs.

ANNEX III

PENDING AGENDA OF THE GOVERNMENT OF PANAMA IN RELATION TO WOMEN

Fourth World Conference on Women: Action for Equality, Development and Peace (National Report of the Republic of Panama, 1994)

Future priority strategic objectives and purposes

1. Train both men and women in the concept of gender relations to promote a sense of equality in all areas of society, beginning with the practice of equal relations within the family.

2. Heighten the awareness of political leaders and train them to understand the gender perspective, the nature of gender relations and various ways to change the traditional attitudes that tend to exclude women from politics.

3. Move towards the consolidation of democracy and the political empowerment of women.

4. Encourage all women and men in positions of power to show their solidarity with the aspirations of women of all ethnic and socioeconomic groups in Panama.

5. Thoroughly review the juridical norms that set forth the rights of women so as to eliminate any remaining vestiges of discrimination and to ensure gender equality in terms of rights, duties and responsibilities.

6. Legislate on the recognition of women's rights and violence against women, and establish the State's obligation to prevent and punish such violence, even when perpetrated in private.

7. Train social communicators in the gender perspective.

8. Update education profiles and curricula to eliminate sexist bias and content in school textbooks and educational materials, from pre-school to university.

9. Incorporate, in school curricula information on the rights of women and children as set forth in international conventions.

10. Develop sex education programmes from pre-school level onwards, so as to promote a responsible, functional understanding of sexuality as a vital and normal activity in human development.

11. Strengthen the teaching of courses that help develop civic and political awareness in women.

12. Promote bilingual, intercultural education to help indigenous children to learn.

13. Design permanent educational programmes for staff directly involved in addressing and taking decisions on problems of violence against women, including judges, magistrates, physicians, psychologists, educators and social workers.

14. Expand access to education and provide vocational training, particularly for women who in the past were excluded from the educational system.

15. Increase population education programmes to make women aware of the impact of their reproductive behaviour on the country's demographic future.

16. Disseminate the concept of health as a human right which should be protected, irrespective of class.

17. Reorient women's health programmes towards a comprehensive approach which transcends the traditional view of women as child bearers.

18. Create streamlined mechanisms to ensure access to housing for groups of women who, because of their poverty, find it difficult to meet their basic needs.

19. Promote action to ensure full compliance with constitutional provisions stating that work is an individual's right and duty, and that the State therefore has an obligation to design economic policies to promote full employment and provide every worker with the conditions he or she needs for a decent existence.

20. Promote actions involving trade unions and women's organizations to increase women's participation in the workforce. Conduct trade union training programmes to encourage more women to take leadership posts and participate in them.

21. Promote the expansion or establishment of production, savings, credit and consumer cooperatives to provide a network of support for women, especially in rural areas.

22. Establish and/or expand child-care centres and community children's centres or other forms of support to enable women to participate in social and economic life and to attend to other aspects of their lives.

23. Carry out programmes and projects for special groups of women, such as teenage, young, disabled, indigenous, rural and elderly women.

24. Prepare awareness-building programmes in indigenous communities to help eliminate discrimination against women within and outside the indigenous population.

25. Facilitate rural women's access to land, credit, technology and training.

26. Ensure that, in the compilation and dissemination of statistics, the national statistical system includes all gender-related aspects, where possible developing indicators for evaluating changes in the status of women and in their level of economic, social and political participation. Extend this

recommendation to non-governmental organizations, business and production groups, etc.

27. Promote research to determine the extent of the various forms of violence, especially those that have been studied the least.

28. Develop research on the occupational situation of women in the mass media.

29. Develop special research programmes on ageing that incorporate a gender and quality of life perspective.

30. Define and execute, with the full participation of women, environmental programmes and policies that ensure sustainable development and the health and well-being of women and men.

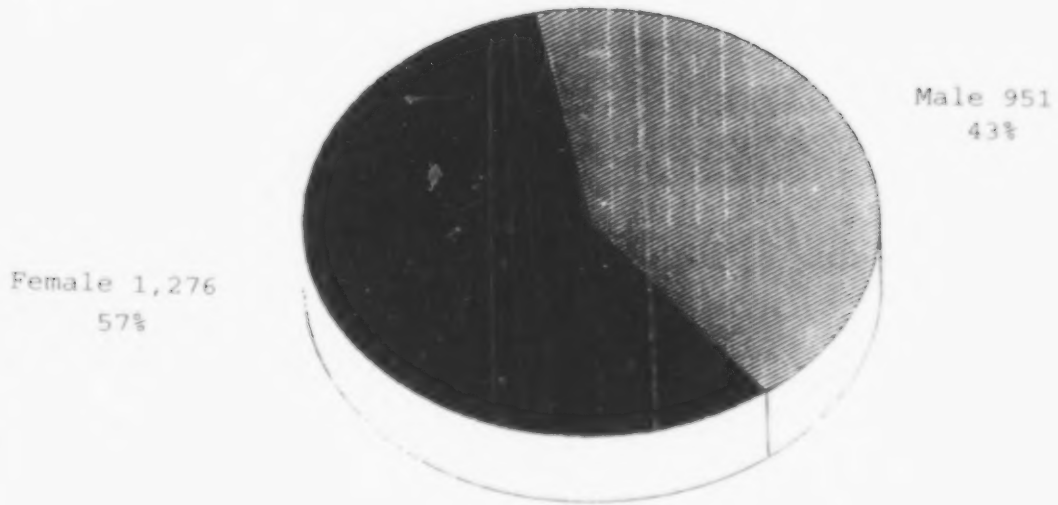
31. Carry out the recommendations made in international agreements for increasing women's participation in sustainable development.

32. Recommend to international cooperation agencies that they provide specific support to programmes and projects for the advancement of women.

As the century draws to a close, Panamanian society faces a great challenge: to reduce the huge social, economic and political disparities that exist between the different groups that make up the nation. Of these disparities, discrimination against women is one that will require priority attention. The commitment to redress women's inequality is shared by all social sectors, but it is, above all, a gender commitment in which those of us women who are fully aware of that inequality must pool our efforts to enable all Panamanian women to enter the twenty-first century with equity, development, social justice and peace.

ANNEX IV

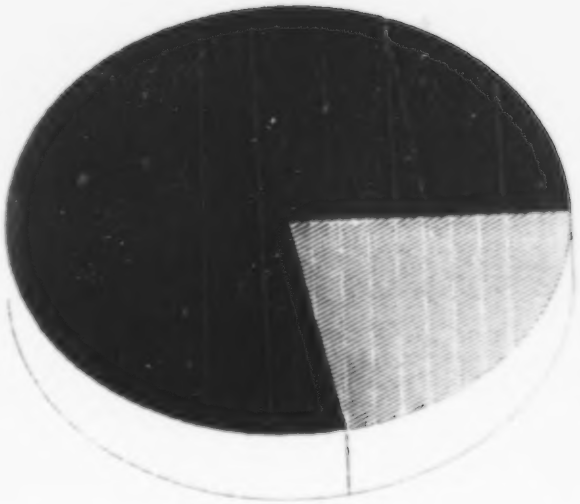
Active staff, May 1995, by sex



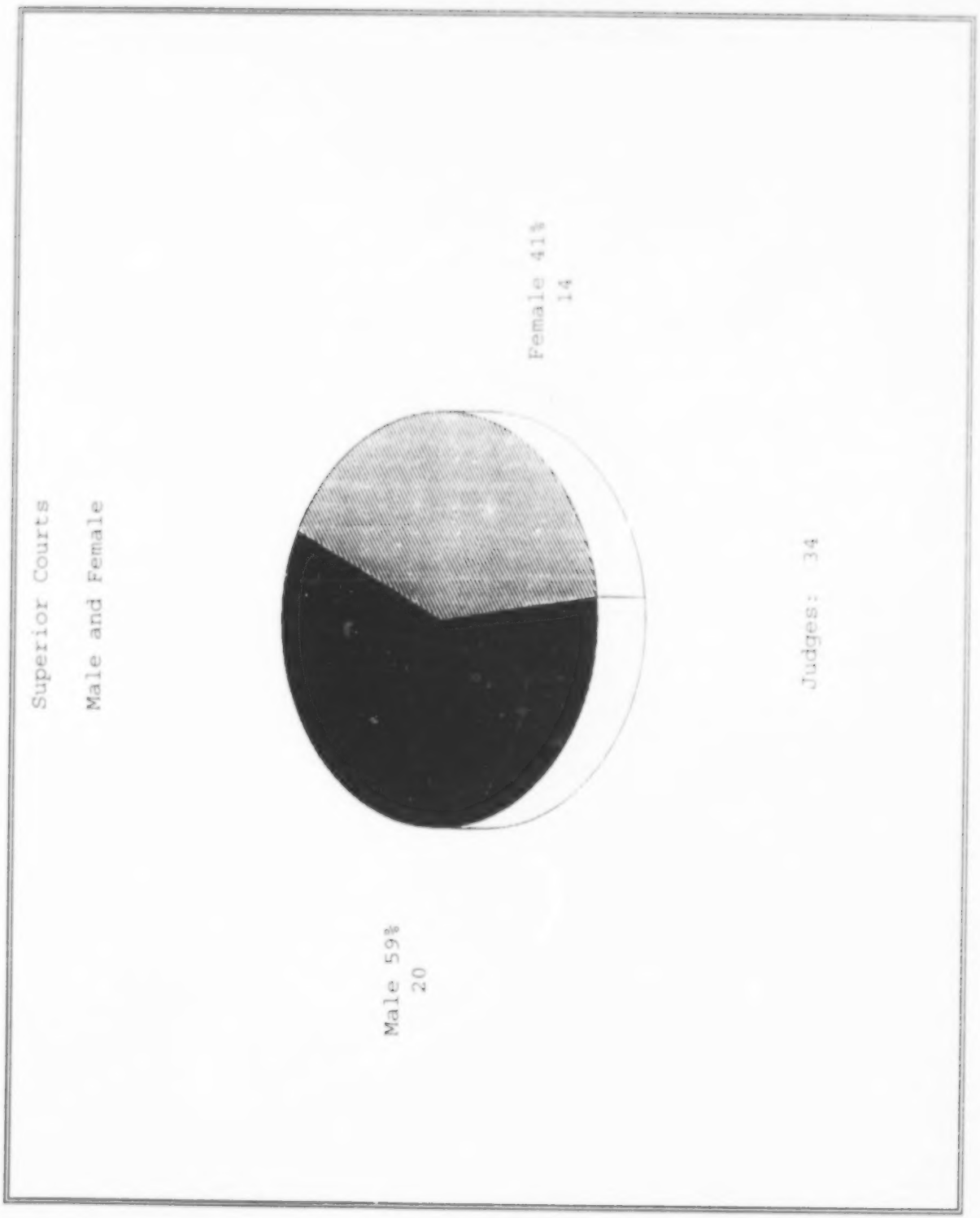
Judiciary: 2,227 staff members

Supreme Court of Justice

Male and Female

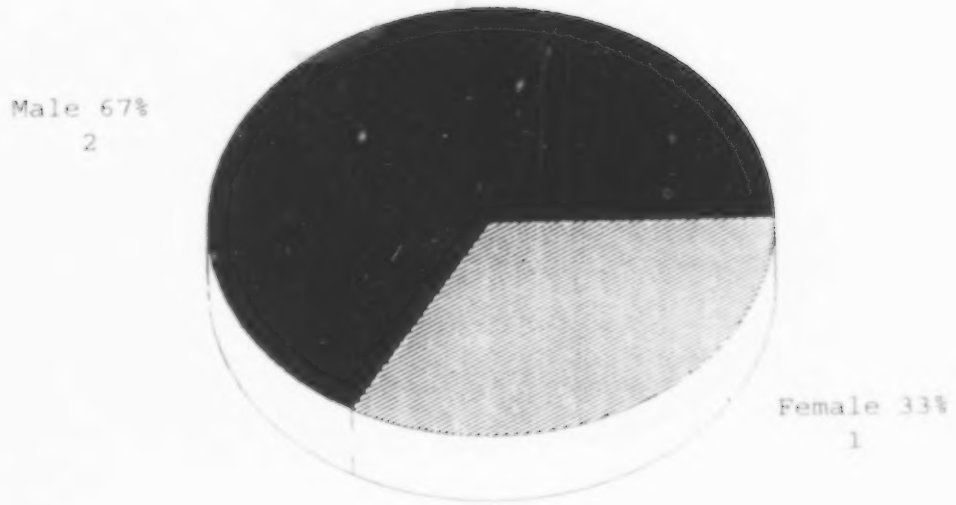


Judges

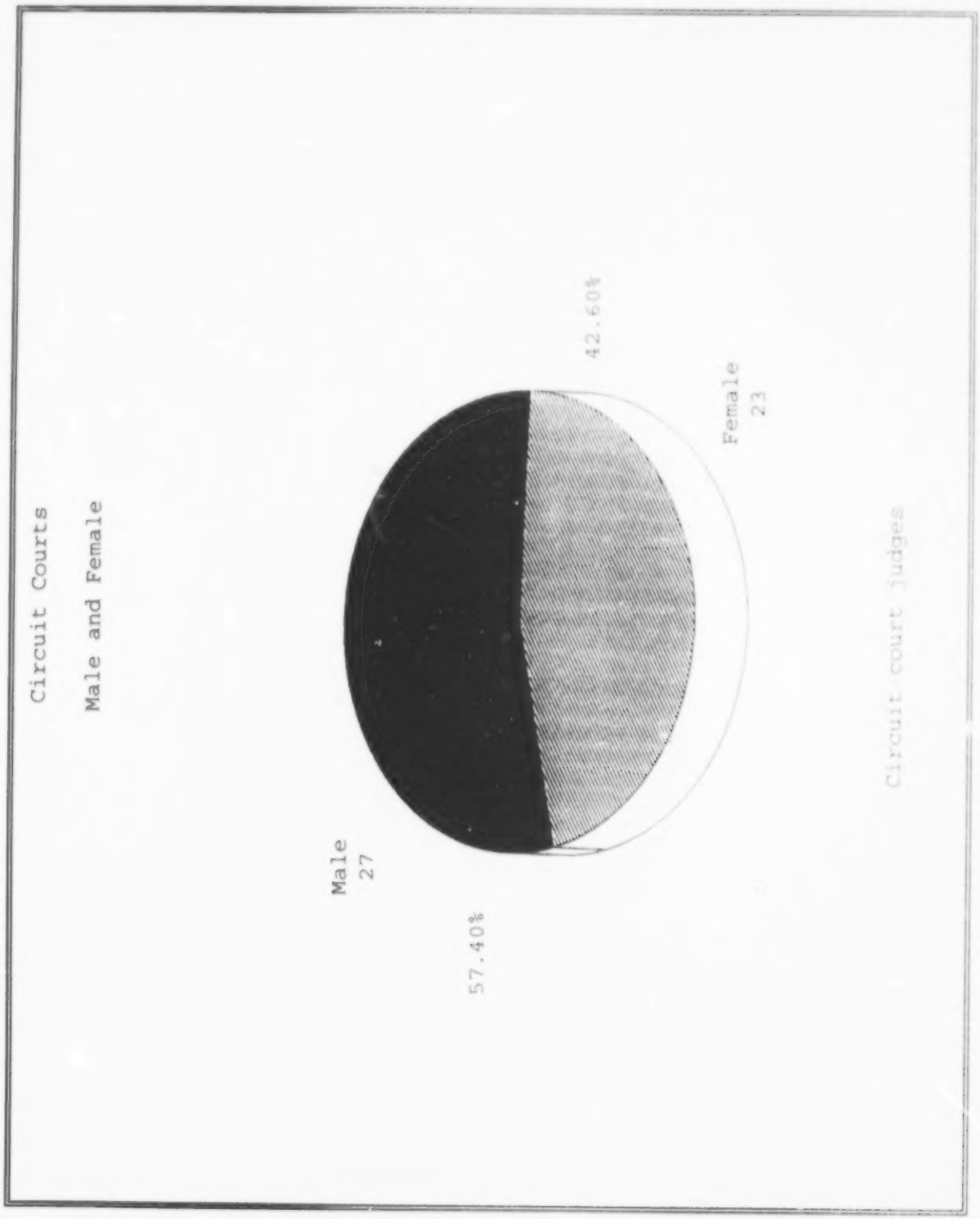

Superior Courts
Male and Female
Female 41%
14
Male 59%
20
Judges: 34

Family Courts

Male and Female

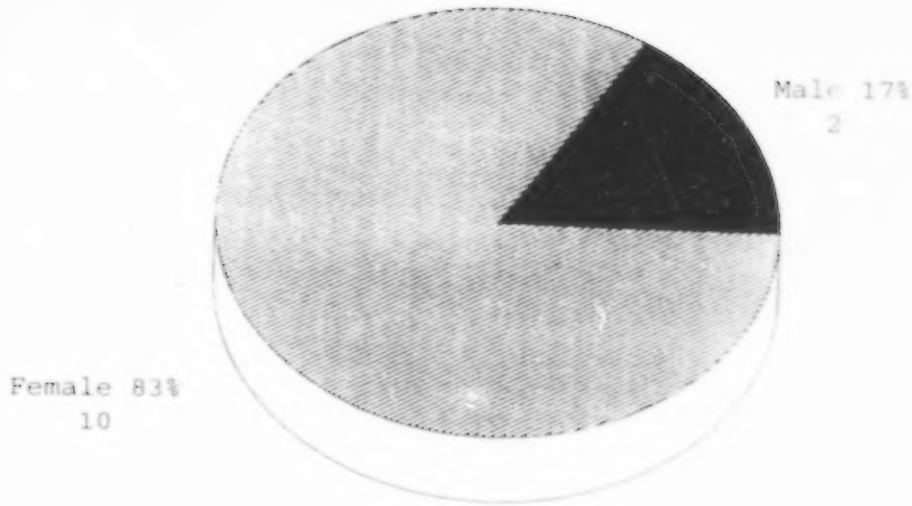


Family court judges: 3

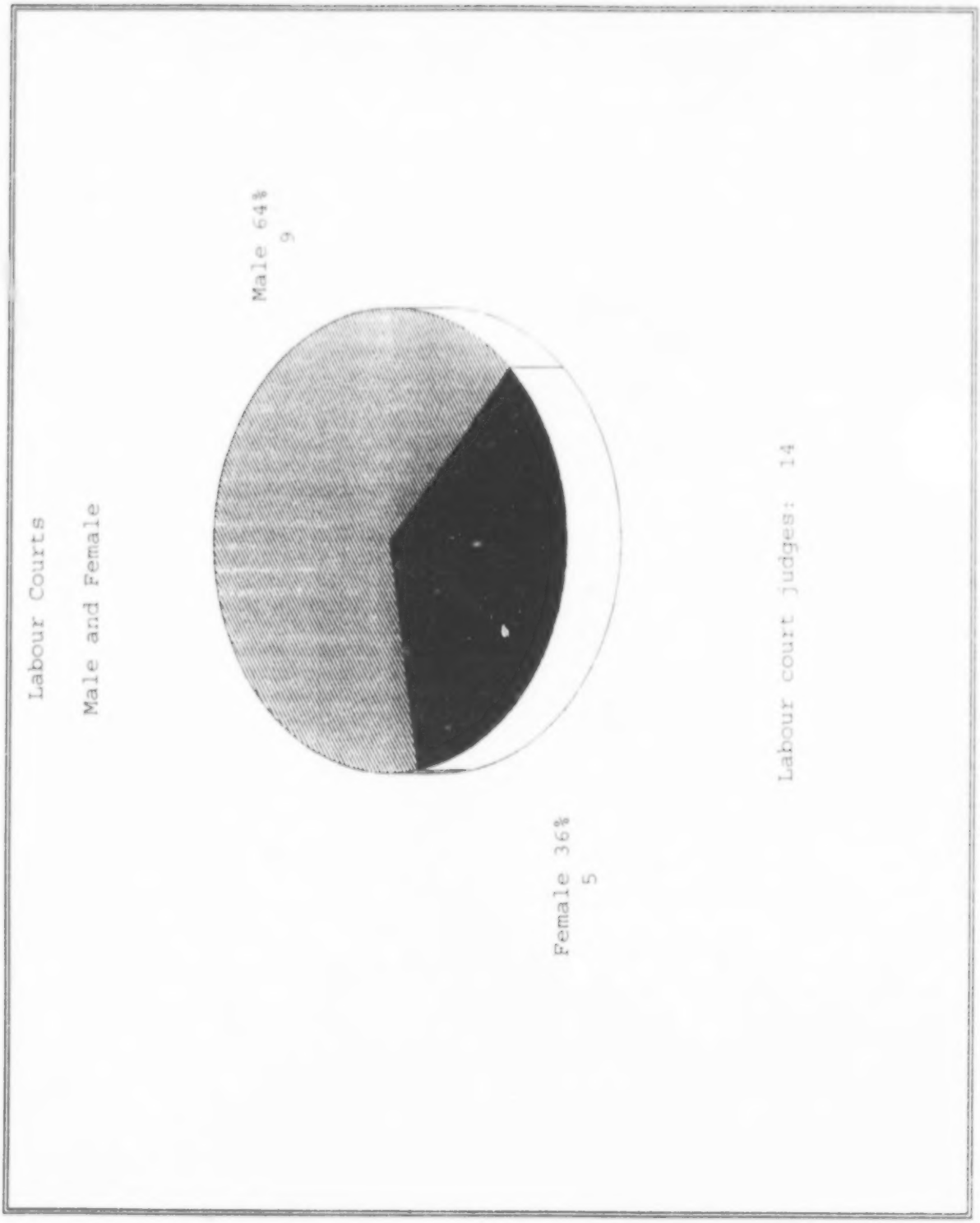

Circuit Courts
Male and Female
Male
27
57.40%
Female
23
42.60%
Circuit court judges

Juvenile Courts

Male and Female

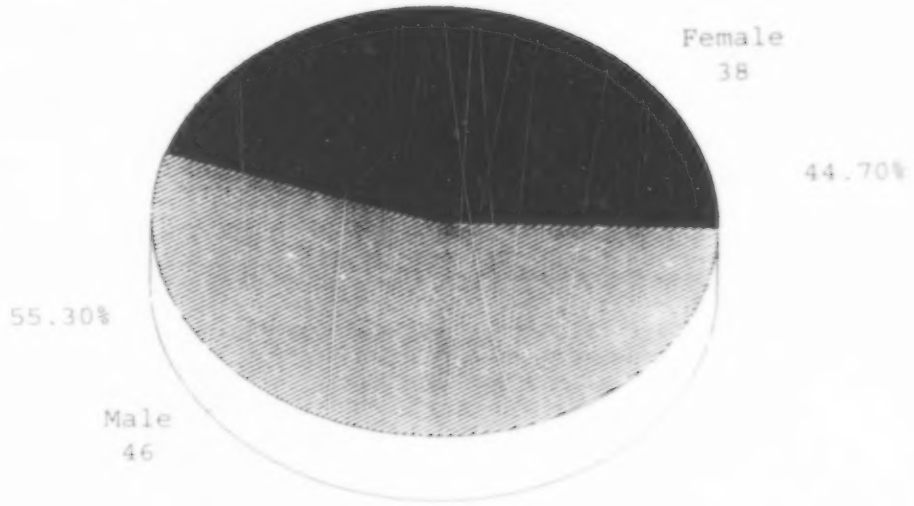


Juvenile court judges: 12

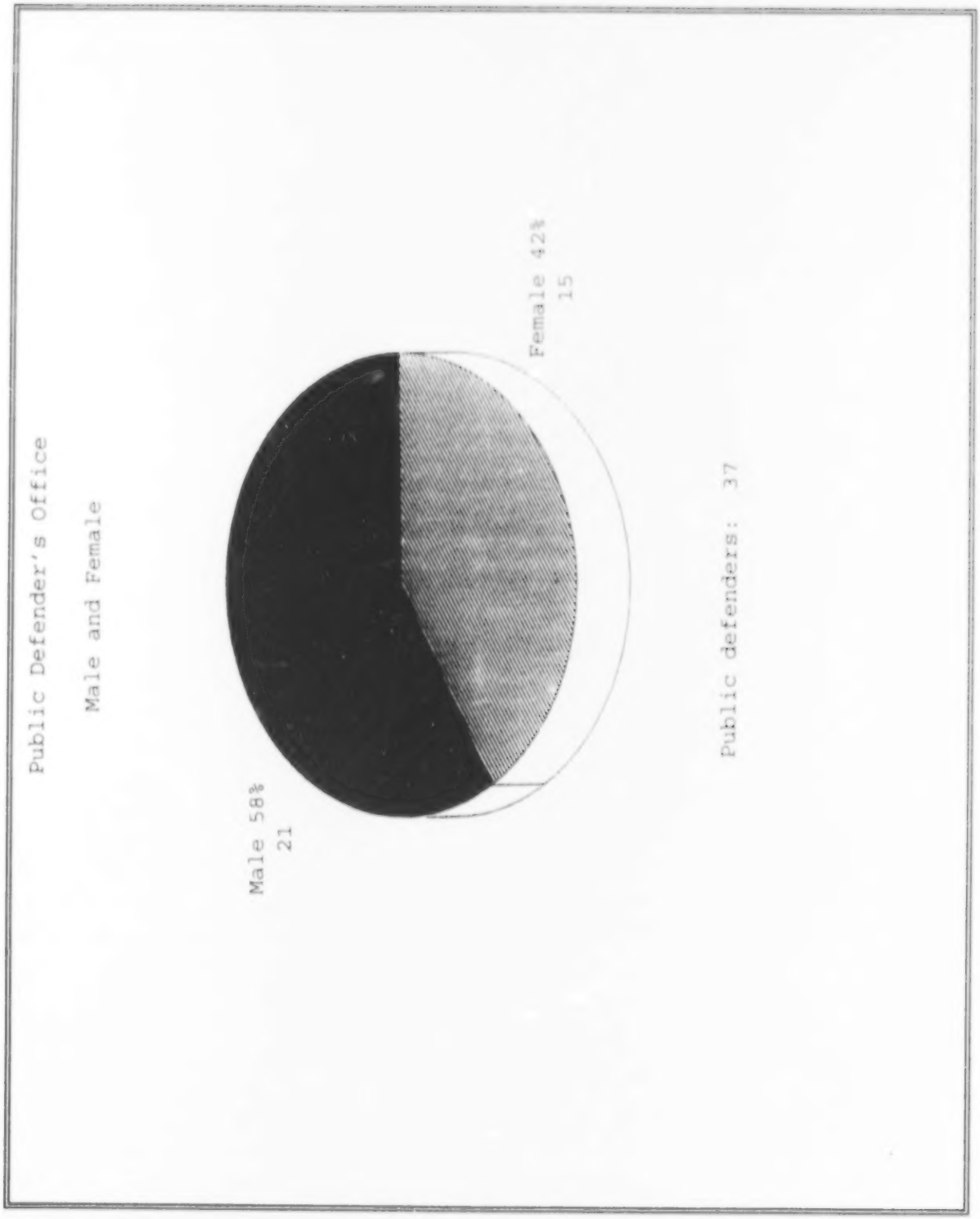

Labour Courts
Male and Female
Male 64%
9
Female 36%
5
Labour court judges: 14

Municipal Courts

Male and Female



Municipal judges: 84


Public Defender's Office
Male and Female
Female 42%
15
Male 58%
21
Public defenders: 37